

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 23, 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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, 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. [2024-192](#) CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OF APRIL 4, 2024 (ARTS AND CULTURE) AND THE REGULAR CALLED CITY COUNCIL MEETING OF APRIL 9,

2024.

Attachments: [Minutes.24.0404 Arts](#)
[Minutes.24.0409](#)

- B. [2024-185](#) CONSIDER ON SECOND 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. (At the request of Thomas and Shawna Dunaway)

Attachments: [AIS 101 Village Cove CC Second Reading 5-14-24](#)
[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](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-180](#) CONSIDER ON FIRST READING ORDINANCE NO. 2024-05; AN ORDINANCE AUTHORIZING THE INSTALLATION OF STOP SIGNS AND ESTABLISHING SPEED LIMITS FOR THE FOLLOWING SUBDIVISIONS: SHORELINE PARK PHASE 6, RANCHES AT CREEKSIDE UNIT 2A, AND RANCHES AT CREEKSIDE UNIT 1; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION. (Establishing locations of stop signs and setting speed limits for Shoreline Park Phase 6, Ranches at Creekside Unit 2A and Unit 1)

Attachments: [AIS-Speed Limit and Stop Signs](#)
[Ordinance No. 2024-05](#)

6. RESOLUTIONS:

- A. [2024-160](#) CONSIDER RESOLUTION NO. 2024-R24; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND LONESTAR SITEWORK, LLC FOR THE REPAIR OF THE WEST THEISSEN CULVERT FOR AN AMOUNT NOT TO EXCEED \$11,475.00. (Cost of 45 cubic yards of flowable fill)

Attachments: [AIS - Lonestar change order](#)
[Resolution No. 2024-R24](#)
[Change Order - W. Theissen Culvert Flowable Fill](#)

- B. [2024-189](#) CONSIDER RESOLUTION NO. 2024-R25; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE TRAILS OF HERFF RANCH RECLAIMED WATER LINE AND SH-46 RECLAIMED WATER PIPELINE BORE FOR AN AMOUNT NOT TO EXCEED \$340,000.00. (Design services, Task Order No. 32 Trails of Herff Ranch Reclaimed Water Line and SH-46 Reclaimed Water Pipeline Bore)

Attachments: [AIS TOHR Reclaimed Water Main Design - HDR](#)
[Resolution No. 2024-R25](#)
[Executed City of Boerne Trails of Herff Ranch Reclaimed Line TO 32 4-16-24](#)

- C. [2024-187](#) CONSIDER RESOLUTION NO. 2024-R26; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE SCHOOL LIFT STATION EXPANSION PROJECT FOR AN AMOUNT NOT TO EXCEED \$465,000.00. (Design services, Task Order No. 33 School Lift Station Expansion adding a third wet-well)

Attachments: [AIS Third School Lift Station Wet Well Design - HDR](#)
[Resolution No. 2024-R26](#)
[Executed City of Boerne School Lift Station Expansion TO33 4-16-24](#)

- D. [2024-188](#) CONSIDER RESOLUTION NO. 2024-R27; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE SOUTH CIBOLO SEWER EXTENSION FOR AN AMOUNT NOT TO EXCEED \$416,000.00.

Attachments: [AIS South Cibolo Sewer Main Design - HDR](#)
 [Resolution No. 2024-R27](#)
 [Executed City of Boerne South Cibolo Sewer Extension TO34 4-16-24](#)

7. CITY MANAGER'S REPORT:

- A. [2024-006](#) UPDATE OF FEDERAL POST OFFICE GUIDELINES FOR MAILBOXES.
- B. [2024-005](#) PROJECTS REPORT.

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

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

- A. [2024-182](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY TO DISCUSS THE INTERLOCAL AGREEMENT FOR REGULATION OF SUBDIVISION PLATS IN THE ETJ BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY.

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

11. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 19th day of
April, 2024 at 2:30 p.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
SPECIAL CALLED CITY COUNCIL MEETING
CITY OF BOERNE ARTS & CULTURE MASTER PLAN PUBLIC MEETING
TRAINING ROOM
447 N Main
Boerne, TX 78006
April 4, 2024 – 5:30 PM – 7:00 PM

Minutes of the Special Called City Council Meeting of April 4, 2024.

Present: Council Member Sharon Wright, Council Member Bret Bunker, and Council Member Joseph Macaluso. Council Member Wright arrived at 5:36 p.m.

Absent: Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, and Council Member Quinten Scott.

Staff Present: Lori Carroll, Lissette Jimenez, Nick Montagno, Mike Raute, and Mary Woods.

Recognized/Registered Guests: Paula Lay, Jerry Watson, Christine Crowley, Paula Horner, Riki Yarbrough, Jerry Yarbrough, Jeff Flinn, Rob Ziegler, Lucy Ziegler, Edward Rogers, Sharon Wright, Bret Bunker, Linda Manning, Daniel Weis, Bob Manning, Paula Wacker, KC James, and Elizabeth Nolen.

1. CALL TO ORDER – 5:30 PM

Council Member Macaluso called the City Council Meeting to order at 5:32 p.m.

2. PUBLIC COMMENTS:

No comments were received.

3. PROJECT OVERVIEW PRESENTATION.

Mr. Alex Keen, Principal and Dr. Roksana Filipwska, consultant with Keen Independent Research, LLC welcomed the guests to the public meeting. An overview of the project of creating the City's Arts and Culture Master Plan was

presented as well as the scope of work, stakeholder engagement and community outreach meetings, and market analysis of the community. An opportunity was given for questions from the audience.

4. INTERACTIVE ACTIVITY STATIONS.

Mr. Alex Keen asked the guests to breakout into the planned interactive stations to provide feedback which will be helpful to the project.

5. ADJOURNMENT - 7:00 PM

Council Member Macaluso adjourned the City Council Meeting at 7:00 p.m.

Approved:

Mayor

Attest:

Lori A. Carroll
City Secretary

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

Minutes of the Regular Called City Council Meeting of April 9, 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, Siria Arreola, Jeff Carroll, Lori Carroll, Manny Casarez, Nathan Crane, Susan Finch, Carlos Guerrero, Sandy Johnston, Mike Mann, Mick McKamie, Natalie Morgan, Terry Nolan, Steve Perez, Mike Raute, Kelly Skovbjerg, Andrea Snouffer, Kristy Stark, Robert Taylor, Jeanette Teague, and Danny Zincke.

Recognized/Registered Guests: Ann M. Liebner, Courtney Wade, Shawna Dunaway, Thom Dunaway, Ethan Rand, Jeremy Pratt, Jan Skovbjerg, and Ashley Farrimond.

1. CALL TO ORDER – 6:00 PM

Mayor Ritchie called the City Council Meeting to order at 6:00 p.m.

Mayor Ritchie asked Pastor Gray Cowl from the Boerne River Church to provide the Invocation.

Mayor Ritchie led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

No comments were received.

Mayor Ritchie asked that agenda item 7.A. be presented at this time.

A. CITY OF BOERNE EMPLOYEE RECOGNITIONS.

Police Chief Steve Perez was presented the Patriot Award from the Employer Support of Guard and Reserve (ESGR). Boerne Police Sergeant Khalid Alabaidi nominated Chief Perez for his support of Sergeant Alabaidi's military career.

Assistant City Manager Kristy Stark recognized Ms. Kelly Skovbjerg, Library Director for her achievements during her 22 year tenure with the city. Ms. Skovbjerg expressed appreciation to her family, city staff, and city council.

Assistant City Manager Kristy Stark stated that Mr. Jeff Carroll, Engineering and Mobility Director was recently recognized by the Texas Floodplain Management Association for Excellence in Floodplain Administration. Mr. Carroll spoke regarding the award.

4. CONSENT AGENDA:

Council Member Macaluso made a statement regarding the purchase of the sludge press, that it is important for redundancy and proactive planning.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BUNKER, 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. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF MARCH 26, 2024.

THE MINUTES WERE APPROVED.

- B. 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.**

THE RESOLUTION WAS APPROVED.

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. 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)**

Mayor Ritchie called on Mr. Nathan Crane, Planning Director. Mr. Crane displayed a map of the property located at 101 Village Cove. He stated that the applicant is requesting a special use permit (SUP) for the construction of an 884 square foot accessory dwelling to be located above a new garage. The Planning and Zoning Commission approved a variance to allow construction within the Drainage Way Protection Zone and also voted 6-0 to recommend approval of the SUP with conditions. Ashley Farrimond spoke on behalf of the property owners. She stated that the accessory dwelling unit is behind the home and should not be entirely visible from the road. Discussion ensued regarding the requirements of flood plain elevation.

Mayor Ritchie opened the Public Hearing at 6:30 p.m.

No comments were received.

Mayor Ritchie closed the Public Hearing at 6:30 p.m.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT, SECONDED BY COUNCIL MEMBER MACALUSO, TO RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND APPROVE 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 WITH THE FOLLOWING CONDITIONS: 1. THE USE SHALL COMPLY WITH THE SITE PLAN, FLOOR PLAN, AND ELEVATIONS DATE STAMPED FEBRUARY 29, 2024. 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. 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. 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. RESOLUTIONS:

- A. 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)

Mayor Ritchie called on Fire Chief Manny Casarez. Chief Casarez provided the design process of Fire Station #2 project. He stated that 13 firms submitted RFQ's. The Committee selected Hoefer Welker who is highly qualified and recommended by other municipalities. It is anticipated that the entire project will take 22 months, with construction beginning in Spring 2025. Discussion ensued regarding the proposal including compliance with One Water Reclamation System, a cistern system for water conservation and reuse.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE 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). 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

B. 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.

Mayor Ritchie called on Mr. Mike Mann, Utilities Director. Mr. Mann introduced Ms. Andrea Snouffer, Utilities Administration Supervisor who provided the information in the Water Conservation Plan. Mr. Mann stated when modifying the current plan, staff included the strategies presented to City Council by Ryan Bass, Environmental Programs Manager at the last city council meeting. The 5-year plan is a requirement of TCEQ.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE 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. 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

C. 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.

Mayor Ritchie called on Ms. Kelly Skovbjerg, Library Director to provide information on the Mellon Grant from the Mellon Foundation. Ms. Skovbjerg stated that the \$694,000.00 grant will be used primarily for the library's memory lab. She provided the timeline of the grant, terms, goals, activities, and the next steps in the process. She acknowledged that the grant was made possible by the skills of Ms. Robin Stauber, Adult Services Librarian and Ms. Sandy Johnston, General Services Coordinator.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER BUNKER, TO APPROVE 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. 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

7. CITY MANAGER'S REPORT:

B. VISIT BOERNE UPDATE.

Mayor Ritchie called on Mr. Larry Woods, Visit Boerne Director. Mr. Woods provided an update of Visit Boerne 2023 activities. He provided information on the hotel occupancy during the Eclipse weekend. Ms. Kristy Stark, Assistant City Manager stated that staff anticipates receiving Placer data for the Eclipse weekend sometime next week. She expressed appreciation to staff for the years of planning. City Council also expressed appreciation to first responders and city staff.

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

Mayor Pro Tem Wolosin congratulated the Boerne High School boys and girls soccer teams headed to Georgetown for State playoffs. He is happy to see the teams buses stopping at the schools and being escorted out of town. He also expressed appreciation for the collaboration between city staff and the Sheriff's Department when there were concerns that the Fairgrounds were closing their gates Saturday in advance of the Eclipse to overflow parking for the soccer games and Tractor Pull at City Park in an effort to prevent squatters. The Fairgrounds did open the gates on Saturday after being contacted by city staff that security would be provided. Mayor Pro Tem Wolosin also stated there was a report of a fire hydrant leak in front of the Valero on SH46. After much collaboration between various city departments, it was determined that there was a bad gasket in the hydrant meter and was repaired within 30 minutes. He recommended watching informative interviews on Texas Examiner YouTube. Mayor Pro Tem Wolosin stated that there has been comments regarding council members not concerned with the waste of water. There has been good information provided these last couple of council meetings that show the city is proactive in conservation and other cities are following our lead.

Council Member Macaluso stated he received calls and text messages at 4:57 a.m. on Sunday regarding a power outage. He stated that there was a vehicle accident on Coughran road that caused the outage. Thanks to city staff, power was restored in about 90 minutes.

Council Member Wright described the phenomenon experience she saw with wildlife during the Eclipse.

Mayor Ritchie stated he was at the Omega Retreat Center for a retreat on Sunday morning during the power outage. The entire Center was without power except the meeting room they were in. He also stated that he received comments that the city over prepared for the Eclipse. He stated that it is better to be over prepared and expressed appreciation to staff.

9. ADJOURNMENT

Mayor Ritchie adjourned the City Council Meeting at 7:01 p.m.

Approved:

Mayor

Attest:

City Secretary



AGENDA ITEM SUMMARY

Agenda Date	April 23, 2024
Requested Action	<p>CONSIDER ON SECOND 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 WITH THE FOLLOWING CONDITIONS:</p> <ol style="list-style-type: none">1. THE USE SHALL COMPLY WITH THE SITE PLAN, FLOOR PLAN, AND ELEVATIONS DATE STAMPED FEBRUARY 29, 2024.2. 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.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.
Contact Person	Nathan Crane, AICP Planning Director (830) 248-1521, ncrane@boerne-tx.gov
Background Information	<p>PRIOR REVIEW:</p> <p>The City Council received the recommendation from the Planning and Zoning Commission, held a public hearing, and approved the first reading of Ordinance 2024-04 on April 9, 2024. No one spoke in favor or opposition at the public hearing.</p> <p>BACKGROUND:</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</p>

	<p>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">1. An ADU shall not exceed 1,200 square feet or 30% of the square footage of the living area of the main house.2. An ADU shall not have more than two bedrooms.3. A detached unit shall not be higher than the main house.4. The architectural style and materials used for the accessory dwelling shall be consistent with the primary residence.5. Only one ADU is permitted per lot. <p>REQUEST:</p> <ol style="list-style-type: none">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.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.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.4. The height of the home is 27.5', and the height of the garage is 25'.5. The proposed square footage of the accessory dwelling is equal to 27% of the main house. <p>ANALYSIS:</p> <p><u>Comprehensive Master Plan, Zoning District, and UDC</u></p> <ul style="list-style-type: none">• 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.
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	<ul style="list-style-type: none">• 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. <p><u>Compatibility with Surrounding Land Uses</u></p> <ul style="list-style-type: none">• The surrounding properties have been developed as existing single-family residential. The garage meets all required setbacks. The proposed use is consistent with the surrounding land uses. <p><u>Access, Circulation and Parking</u></p> <ul style="list-style-type: none">• Primary access is provided from Village Cove. Parking for the proposed use is behind the minimum required front yard setback line. <p><u>Utilities</u></p> <ul style="list-style-type: none">• 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>CONCLUSION:</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>PLANNING AND ZONING COMMISSION ACTION:</p> <p>The Planning and Zoning Commission considered this request at their March 4, 2024 meeting. The Commission voted 6-0 to recommend approval of the request subject to the following conditions:</p> <ol style="list-style-type: none">4. The use shall comply with the site plan, floor plan, and elevations date stamped February 29, 2024.5. 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.6. 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.
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	<p>COUNCIL ACTION:</p> <p>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>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Council’s decision.</p> <ul style="list-style-type: none"> - I move that the City County APPROVE on second reading Ordinance #2024-04 approving the request for a Special Use Permit for an accessory dwelling unit, subject to the three stipulations approved during the first reading. - I move that the City Council DENY the request for a Special Use Permit based on the following findings: (The Council will need to state the reasons for the denial).
Item Justification	<div style="display: flex; flex-wrap: wrap;"> <div style="flex: 50%;"> <input checked="" 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 style="flex: 50%;"> <input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: </div> </div>
Strategic Alignment	C1 – Offering quality customer experiences.
Financial Considerations	N/A
Citizen Input/Board Review	<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 March 24, 2024. No comments have been received.</p>
Legal Review	This action is a statutory requirement for SUP approval.

Alternative Options	The Council may: approve; approve with conditions; approve in part; deny; or deny in part.
Supporting Documents	Location Map Site Survey Site Plan – 101 Village Cove SUP date stamped: Feb 29, 2024. B.N.D. Report – 101 Village Cove Resident Responses received by Feb 28, 2024 Flood Plain and DPZ Map Minutes of the March 4, 2024, Planning and Zoning Commission Special Use Permit Approval Criteria (Section 2.5.D UDC)

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 Unified Development Code; 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 9, 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 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 Unified Development Code.

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 9th day of April, 2024.

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

APPROVED:

ATTEST:

Mayor

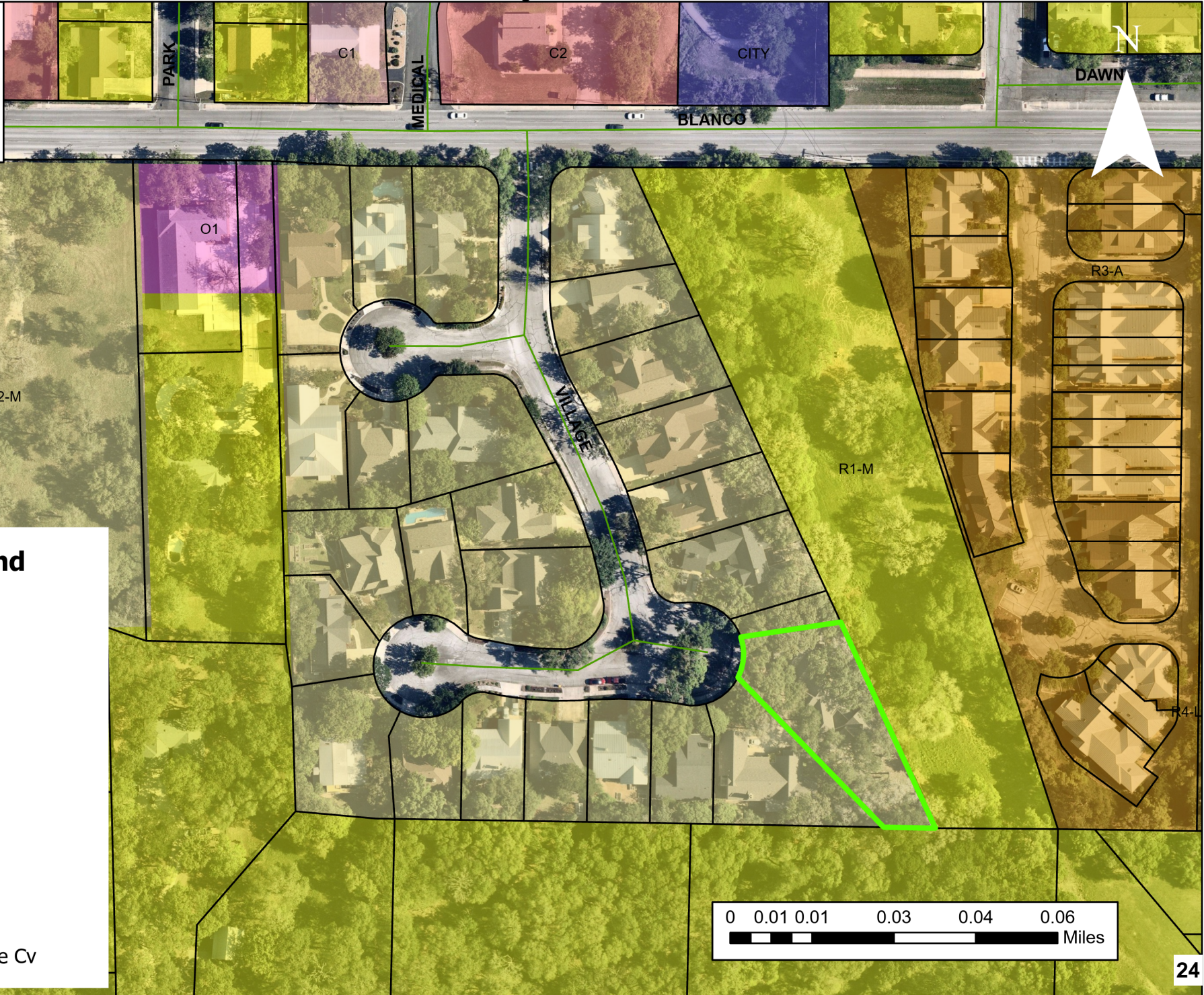
City Secretary

APPROVED AS TO FORM:

City Attorney

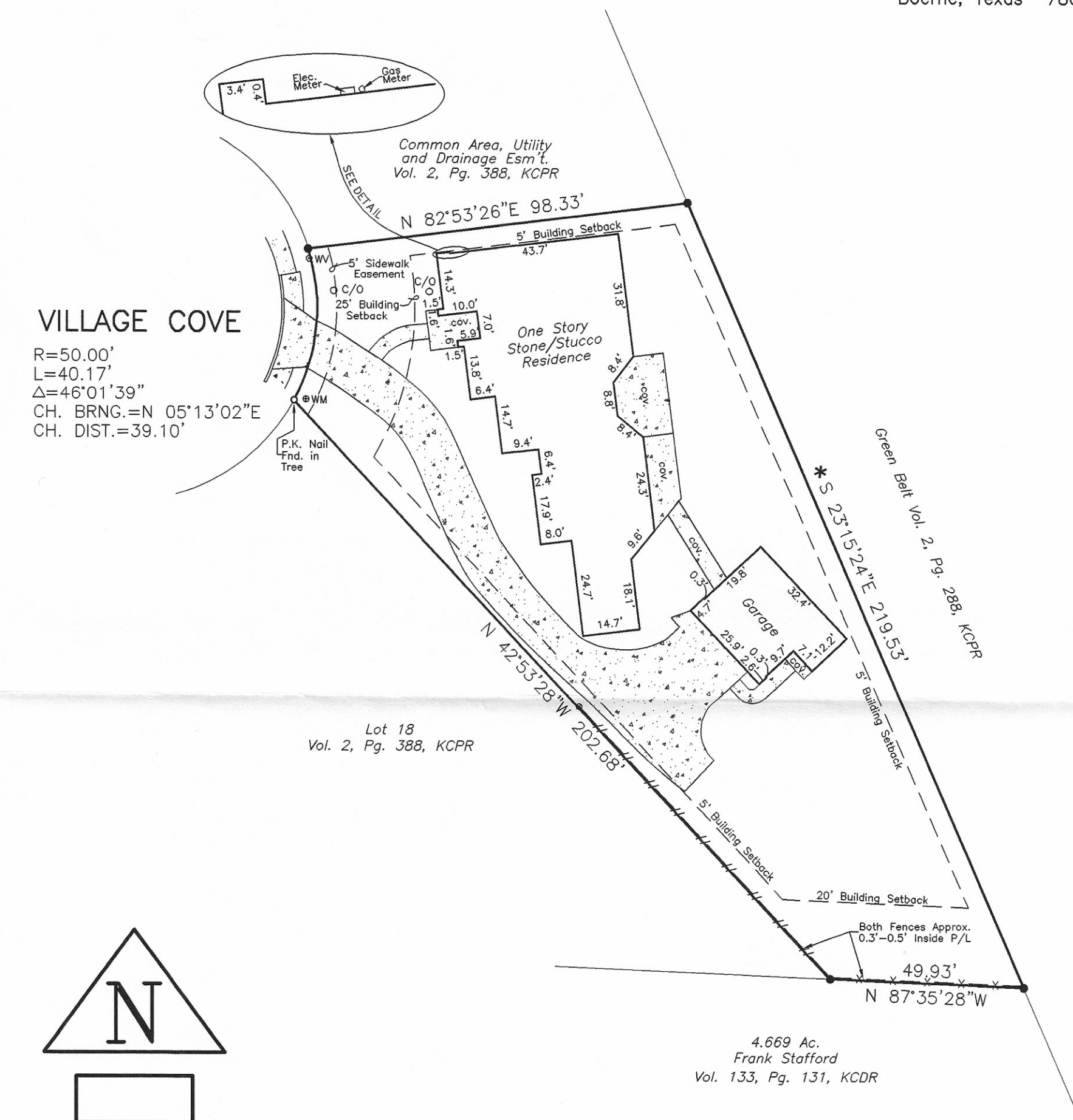
ZONE MAP

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



- 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.

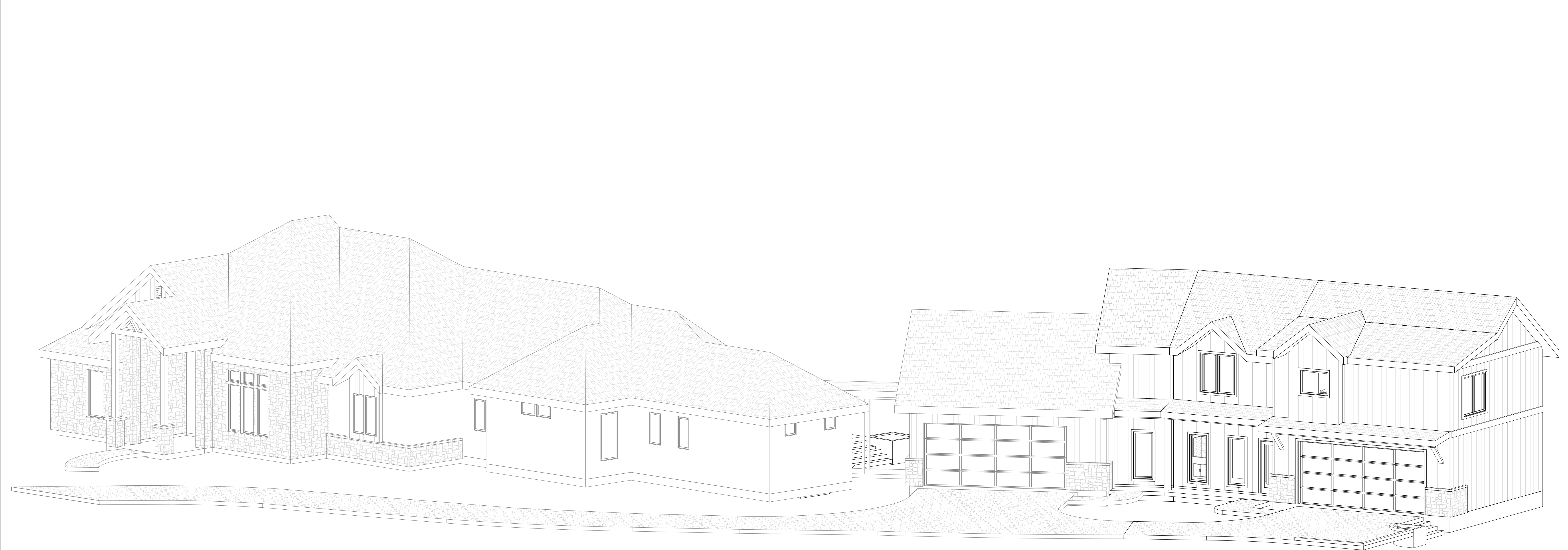
This plat is the property of Schwarz Engineering and Surveying, Inc., and may not be reproduced, whole or in part, without prior written consent from Schwarz Engineering and Surveying, Inc.

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.

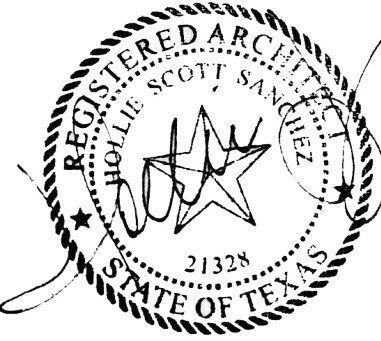
James E. Schwarz
Registered Professional
Land Surveyor No. 4760

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
ARCHITEKTS

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



DUNAWAY RESIDENCE

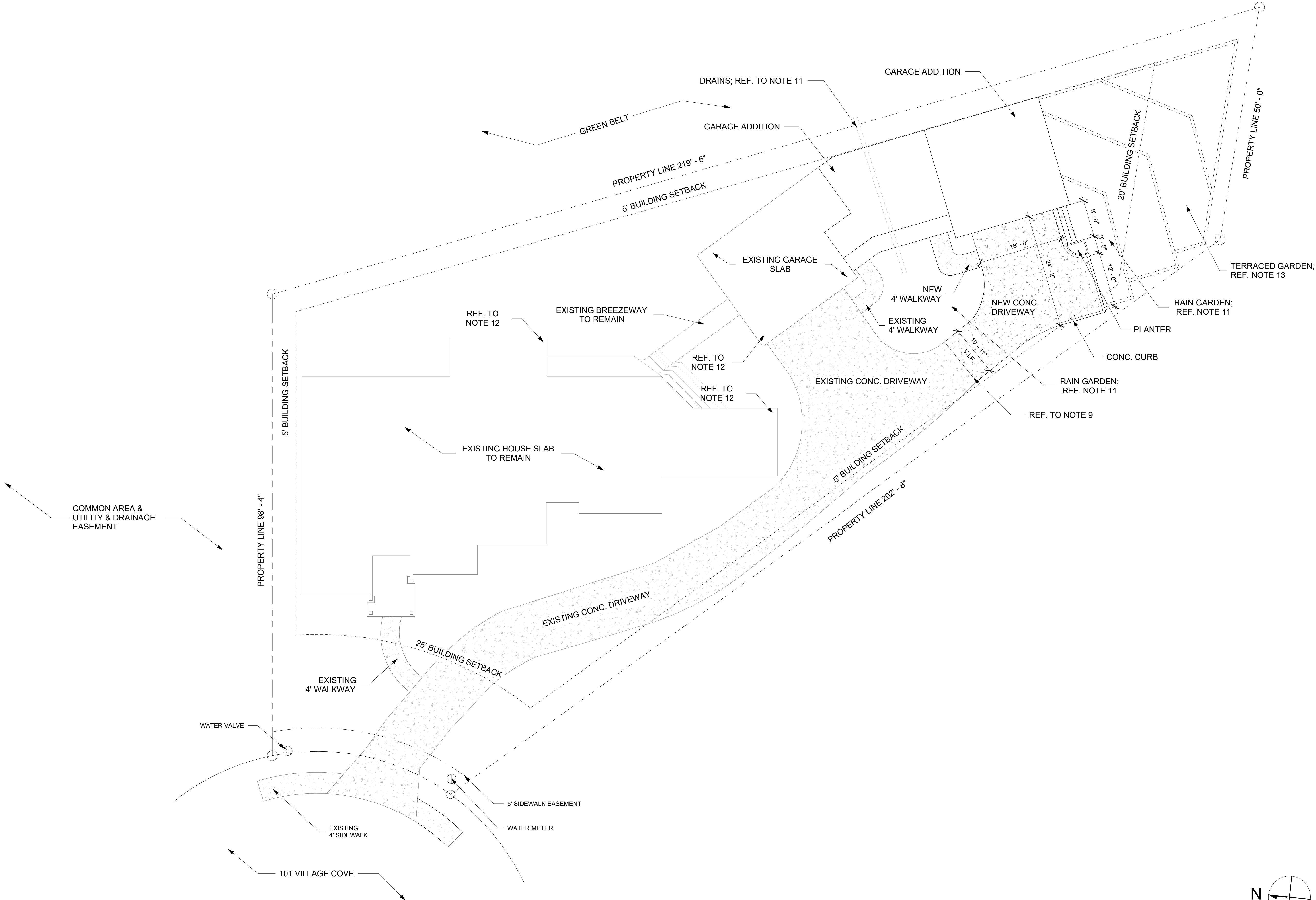
101 VILLAGE COVE,
BOERNE TX, 78006

SITE LEGEND:

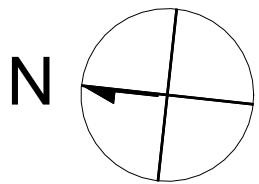
- NEW CONC. DRIVEWAY
- EXISTING CONC. DRIVEWAY
- EXISTING SIDEWALK
- COMPOSITION ROOF SHINGLES
- RAILROAD TIES
- PROPERTY LINE
- BUILDING SETBACK
- EASEMENT

SITE NOTES:

1. ARCHITECTURAL DRAWINGS ARE BASED ON SURVEY INFORMATION AND FIELD NOTES PREPARED BY OTHERS. THE ARCHITECT MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE INFORMATION AND IS NOT RESPONSIBLE FOR ERRORS THEREIN OR CORRECTIONS REQUIRED AS A RESULT. CONTRACTOR SHALL OBTAIN COPIES OF ALL EXISTING SURVEYS FROM OWNER AND SHALL VERIFY EXISTING/PROPOSED TOPOGRAPHY AND SITE CONDITIONS PRIOR TO CONSTRUCTION.
2. REFER TO FLOOR PLAN FOR DETAILED BUILDING INFORMATION. SHOULD DISCREPANCIES EXIST, NOTIFY ARCHITECT FOR CLARIFICATIONS PRIOR TO CONSTRUCTION.
3. BUILDING LOCATION AND ALL SITE GRADING DESIGN BY OTHERS.
4. SITE AND STORM DRAINAGE DESIGN BY OTHERS.
5. 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.
6. PROTECT ALL EXISTING TREES AND VEGETATION UNLESS SPECIFICALLY INDICATED TO BE REMOVED. COORDINATE LANDSCAPE REQUIREMENTS WITH LANDSCAPE DRAWINGS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH ALL UTILITY COMPANIES AND APPROPRIATE AGENCIES FOR PERMITS, APPROVALS CONNECTION, TESTS AND TEMPORARY SERVICES DURING CONSTRUCTION.
8. SLOPE ALL GRADES AWAY 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.), U.N.O.
9. CONTRACTOR TO V.I.F. NEW DRIVE PLACEMENT AND DESIGN PAVING AS REQUIRED.
10. CONTRACTOR TO PROVIDE DRAINAGE SLEEVE UNDER SLAB.
11. CONTRACTOR TO INSTALL RAIN GARDEN TO CAPTURE RUNOFF ALLOWING FOR RECHARGING AND REMOVING POLLUTANTS. CONTRACTOR TO COORDINATE LOCATION WITH OWNER.
12. CONTRACTOR TO INSTALL REDIRECTING DOWNSPOUTS. CONTRACTOR TO COORDINATE LOCATION WITH OWNER.
13. CONTRACTOR TO COORDINATE TERRACED GARDEN FINAL DESIGN WITH OWNER.



1 SITE PLAN
1" = 10'-0"



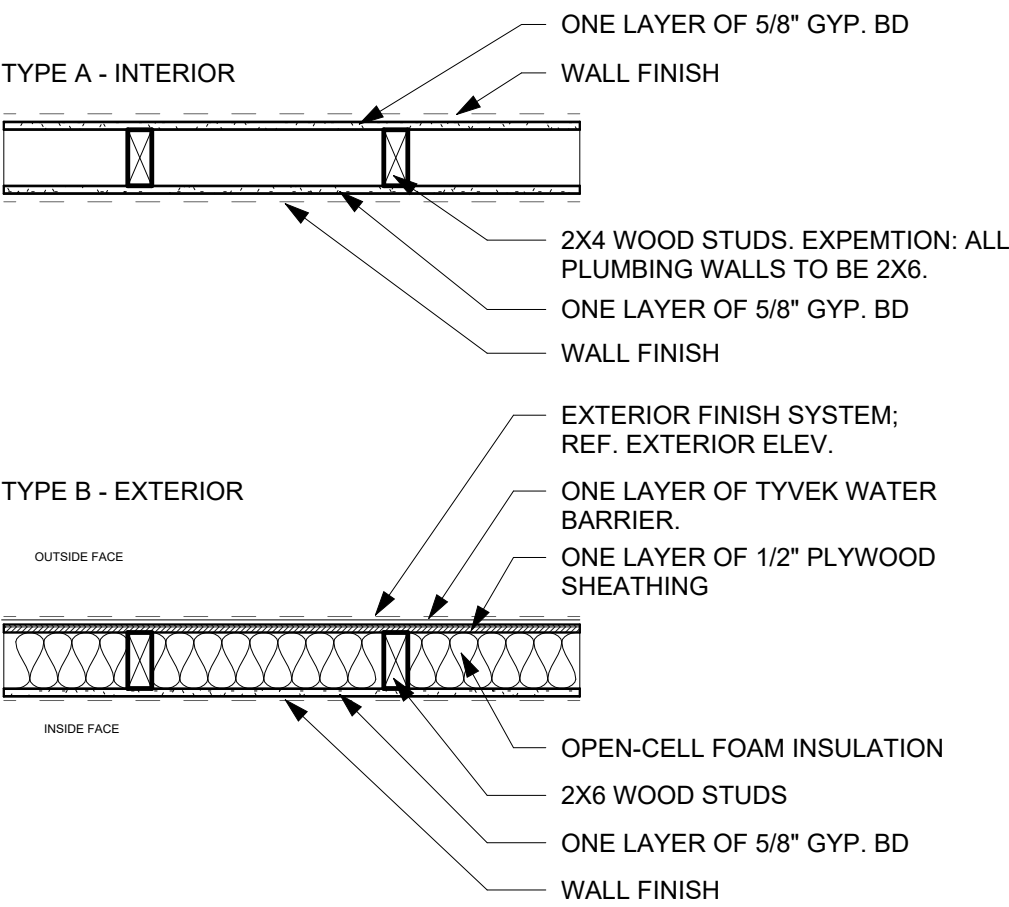
No.	Description	Date
1	PERMIT SET	02.23.2024

DUNAWAY
SITE PLAN

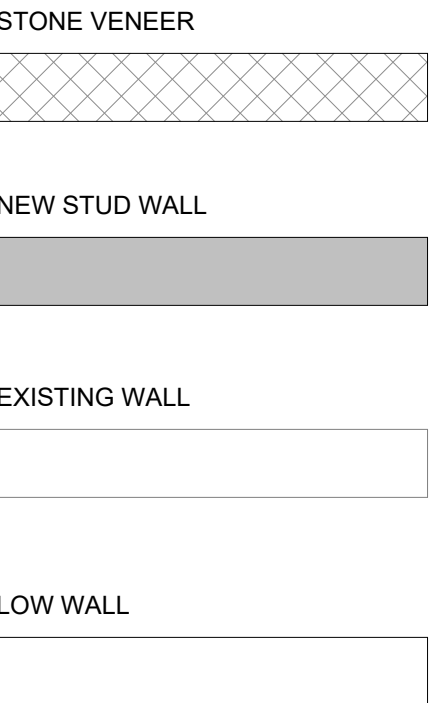
Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS

A1.00

WALL TYPES:

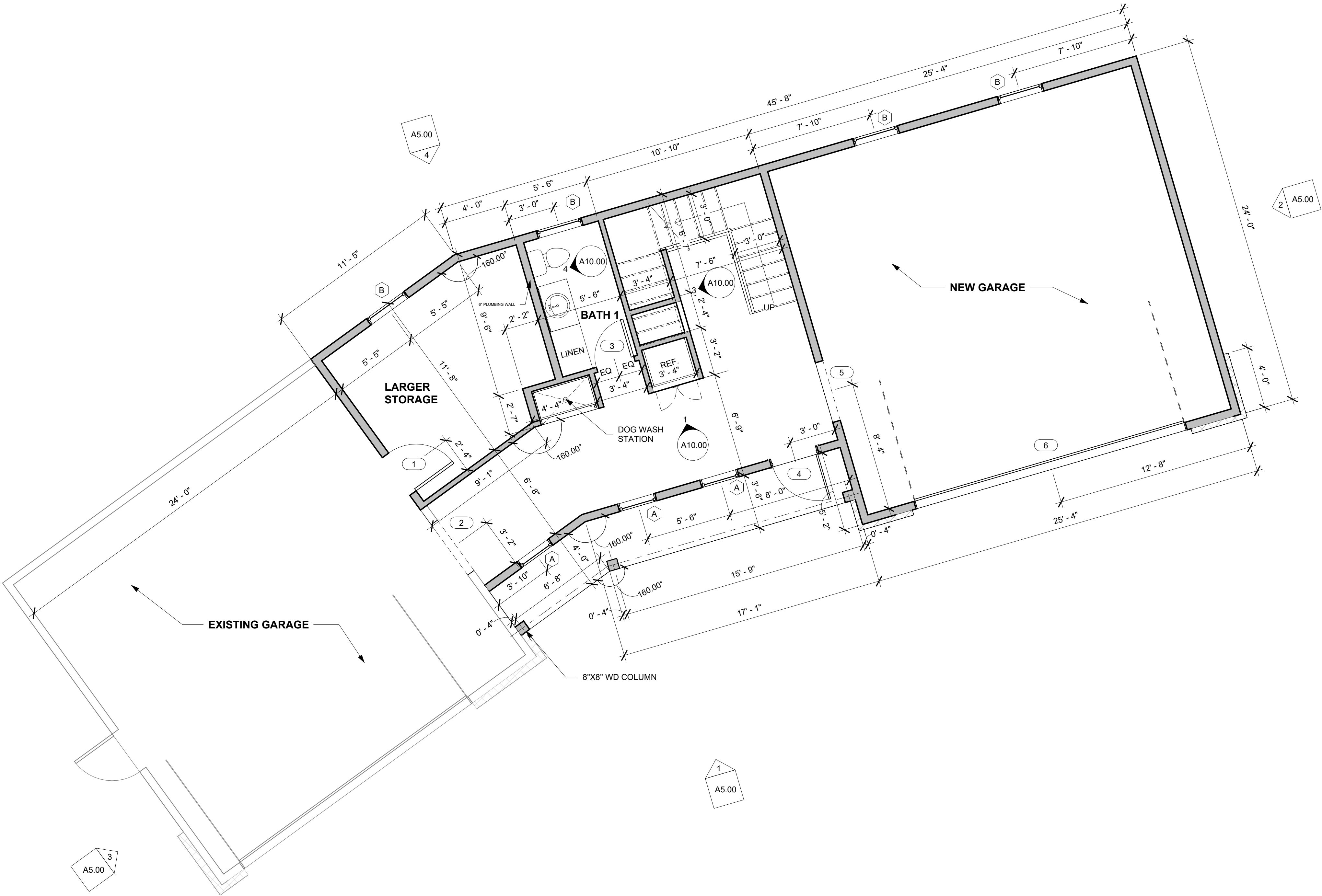


PLAN LEGEND:



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.

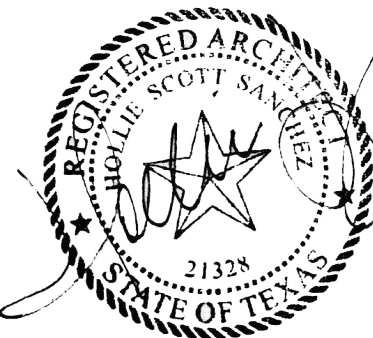


1 FLOOR PLAN - FIRST FLOOR
1/4" = 1'-0"



Studio S
ARCHITEKTS

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



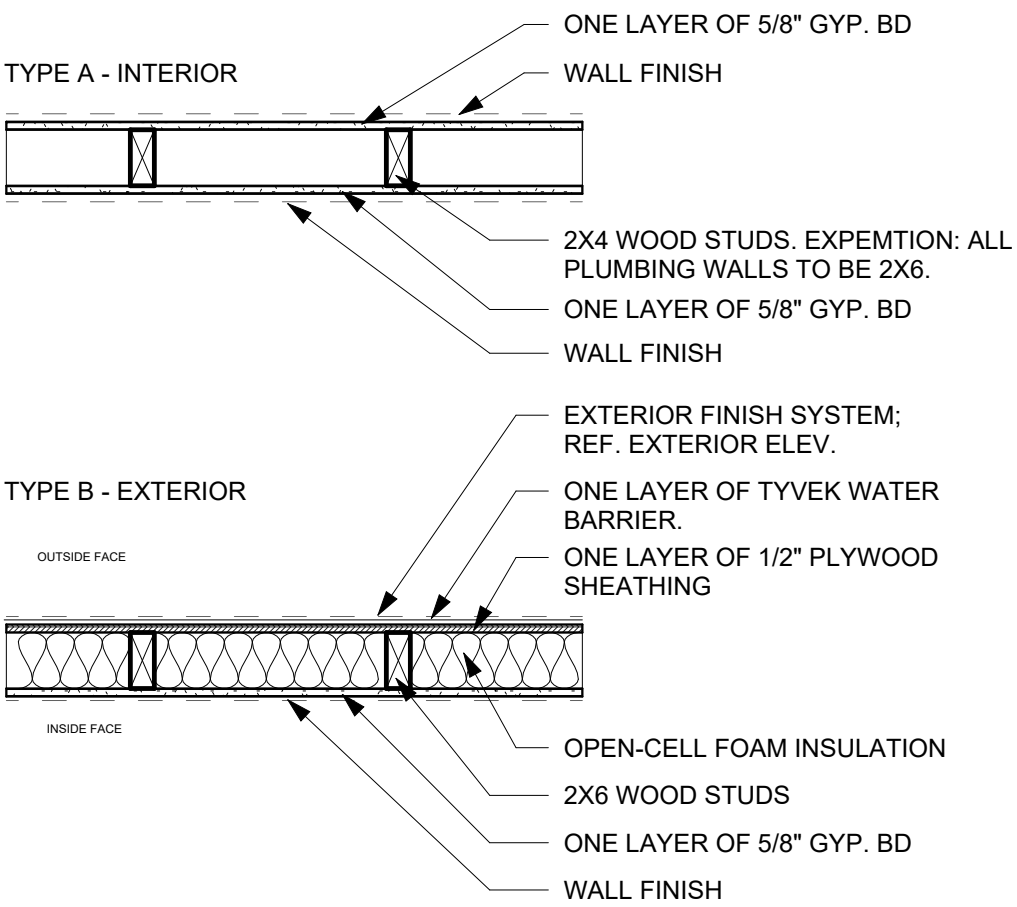
DUNAWAY RESIDENCE

101 VILLAGE COVE,
BOERNE TX, 78006

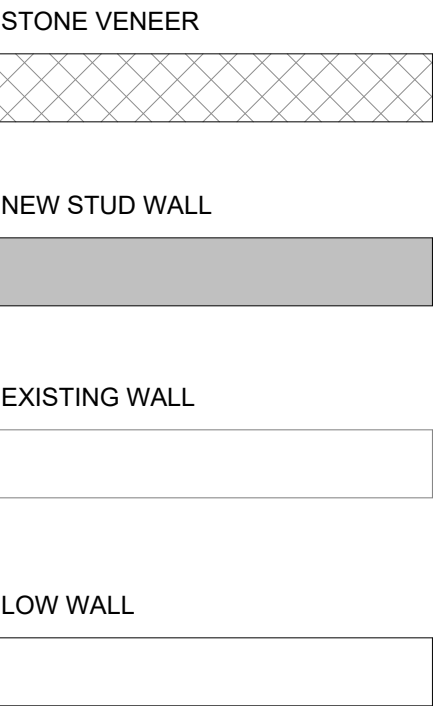
No.	Description	Date
1	PERMIT SET	02.23.2024

DUNAWAY FLOOR PLAN - FIRST FLOOR	
Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS
A2.00	

WALL TYPES:

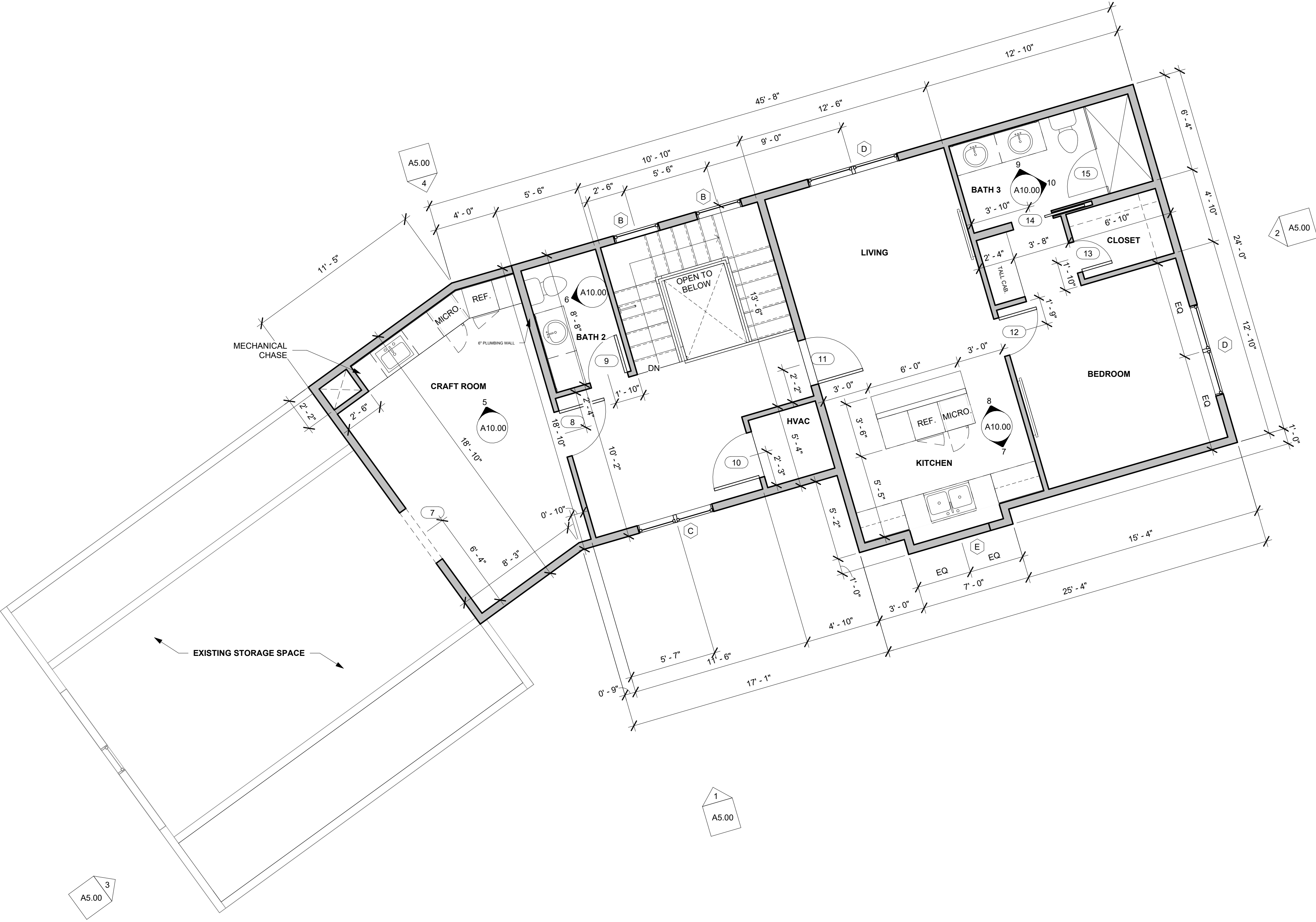


PLAN LEGEND:



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

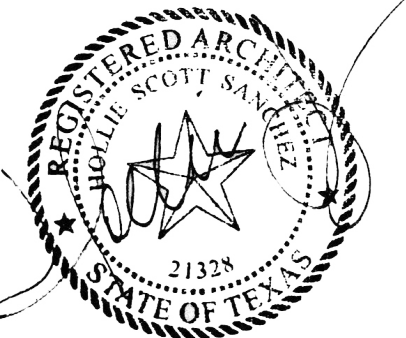
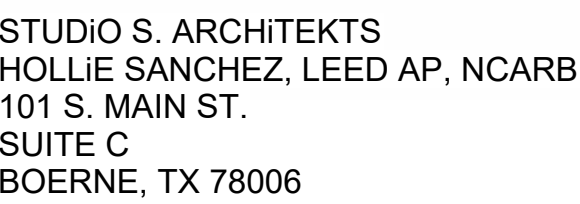
DUNAWAY RESIDENCE

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



101 VILLAGE COVE,
BOERNE TX, 78006

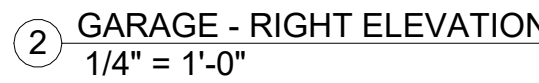
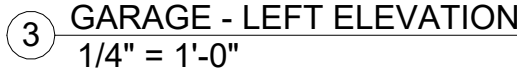
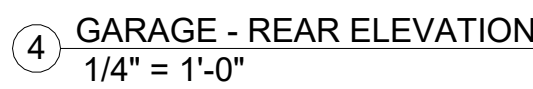
DUNAWAY
EXTERIOR
ELEVATIONS

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

A5.00

2/23/2024 12:32:31 PM

1. BUILDING ELEVATIONS SHOWN ARE TO HELP CLARIFY OVERALL DESIGN INTENT. REFER TO FLOOR PLAN, AND SUPPORTING DRAWINGS FOR ANY SPECIFIC DESIGN INFORMATION NOT EXPRESSLY DEFINED HEREIN.
2. EXTERIOR FINISH MATERIALS AND TREATMENTS ARE NOT NOTED AT 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 EXTERIOR STONE SIZE. COORDINATE STONE DEPTH WITH STONE LEDGE @ FOUNDATION.
8. CONTRACTOR TO CONFIRM EXISTING ROOF SLOPES; MEET ROOF SLOPES TO MATCH. COORDINATE WITH OWNER AND/OR ARCHITECT.
9. MATCH EXISTING WINDOW HEADER HEIGHTS PER FLOOR.





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)

- 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

CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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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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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

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CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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Name: Dawn & Larry Allen

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

☒ In Favor

☐ Oppose

Reason: _____

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

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CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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Name: Gracie Barnett

Address: 103 Villiage Park Dr.

(☒) In Favor () Oppose

Reason: _____

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

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CASE: 101 Villiage Cove SUP

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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

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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

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CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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Name: Leland David Christine L. Lhisolm

Address: 106 Village Circle, Boerne, TX 78006

(☒) In Favor

() Oppose

Reason: _____

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: 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

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please call 830-248-1501.

Name: Mary Purcell

Address: 105 Village Drive

(☒) In Favor () Oppose

Reason: _____

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: 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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CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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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

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: RONALD & BARBARA KACINOWSKI

Address: 205 VILLAGE DR BOERNE TX 78006

☒ In Favor

☐ Oppose

Reason: _____

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: 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

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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: 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

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

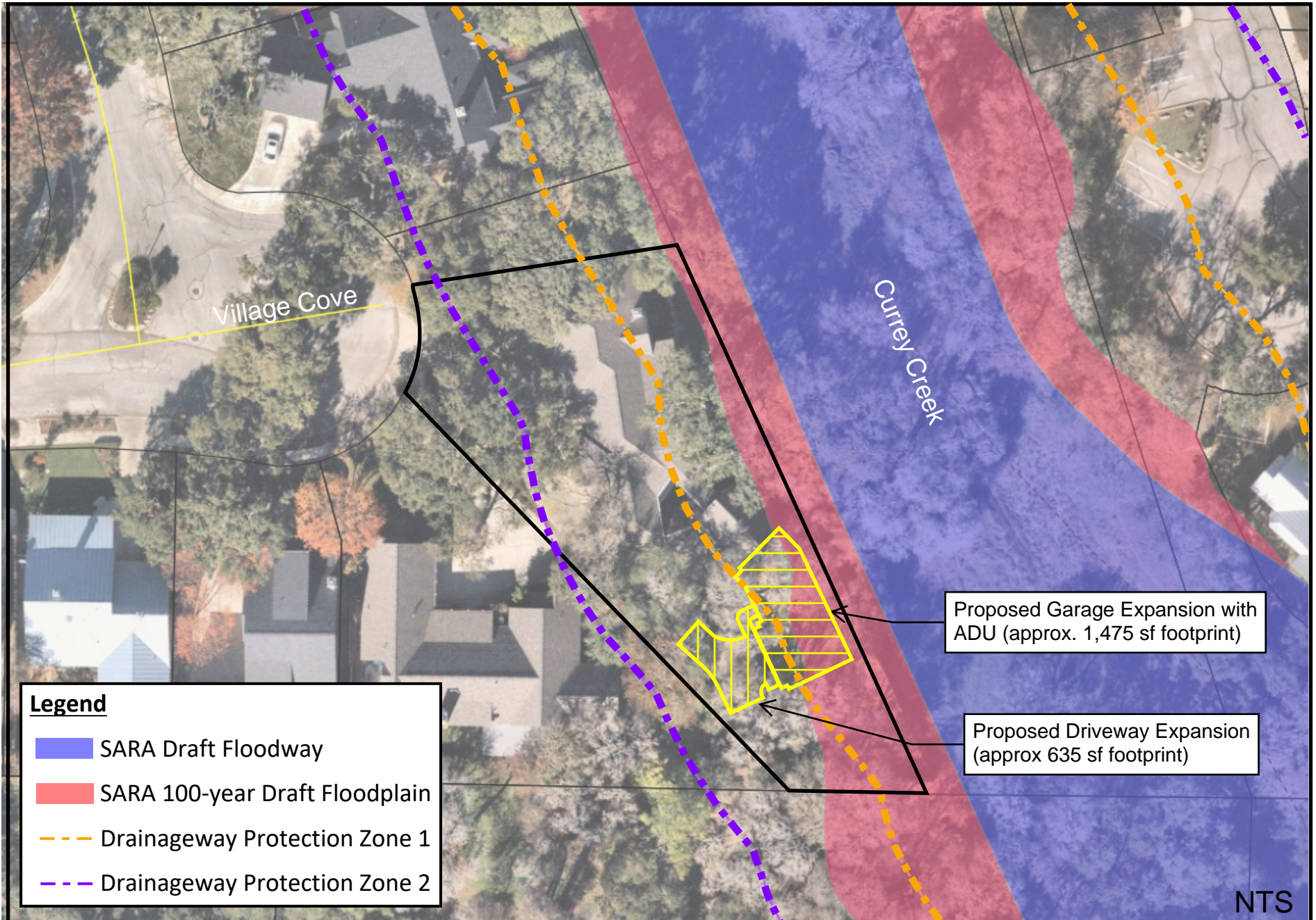
Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

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

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

Agenda Date	April 23, 2024
Requested Action	CONSIDER ORDINANCE NO. 2024-05; AUTHORIZING THE INSTALLATION OF STOP SIGNS AND ESTABLISHING SPEED LIMITS FOR THE FOLLOWING SUBDIVISIONS: SHORELINE PARK PHASE 6, RANCHES AT CREEKSIDE UNIT 2A, AND RANCHES AT CREEKSIDE UNIT 1; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION.
Contact Person	Jeffrey Carroll – Engineering & Mobility Director
Background Information	<p>Traffic control signs, including stop signs and speed limit signs (other than 30 mph signs), require approval from City Council for traffic enforcement. The subdivision plats for the following subdivisions listed have been recorded and the public infrastructure has been accepted by the City.</p> <p><u>Stop Signs</u></p> <p>Staff recommends Council approve placement of stop signs at the following locations:</p> <p>Shoreline Park Phase 6</p> <ol style="list-style-type: none"> 1. Intersection of Aqua Shores and West Boerne Harbor <ol style="list-style-type: none"> a. Northbound on Aqua Shores b. Southbound on Aqua Shores c. Eastbound on West Boerne Harbor d. Westbound on West Boerne Harbor 2. Intersection of Aqua Shores Drive and Mission Lake Road <ol style="list-style-type: none"> a. Eastbound on Mission Lake Road 3. Intersection of Mission Lake Road and Siefert Pond Drive <ol style="list-style-type: none"> a. Northbound on Siefert Pond Drive b. Southbound on Siefert Pond Drive 4. Intersection of Open Puddle Lane and West Boerne Harbor <ol style="list-style-type: none"> a. Northbound on Open Puddle Lane

	<p>5. Intersection of Siefert Pond Drive and Mission Lake Road</p> <ul style="list-style-type: none">a. Northbound on Siefert Pond Driveb. Southbound on Siefert Pond Drivec. Eastbound on Mission Lake Roadd. Westbound on Mission Lake Road <p>Ranches at Creekside Unit 2A</p> <p>1. Intersection of Herff Ranch Boulevard, Copper Creek, and Paint Creek</p> <ul style="list-style-type: none">a. Northbound on Herff Ranch Boulevardb. Southbound on Paint Creekc. Eastbound on Copper Creekd. Westbound on Copper Creek <p><u>Speed Limit Signs</u></p> <p>Staff received a request from residents in Ranches at Creekside to install speed limit signs on Copper Creek. There are currently no speed limit signs along this roadway.</p> <p>Texas Transportation Code 545.352 sets the prima facie speed limit at 30 mph for streets. When a municipality proposes to alter the prima facie speed limit, an engineering and traffic investigation must be conducted to substantiate the change. The City completed a speed zone study using the 85th percentile method, which measures the speed that 85% of drivers will be traveling at or below. The speed limit is typically set within 5 mph of the 85th percentile speed.</p> <p>City staff measured the 85th percentile speed of Copper Creek to be 34 miles per hour (mph). Other similar collector streets are marked as 35 mph including but not limited to Esperanza Blvd and Herff Ranch Blvd.</p> <p>Therefore, staff recommend a speed limit of 35 mph be established for Copper Creek. The speed limit signs are proposed to be located in the following locations:</p> <p>Ranches at Creekside Unit 1</p> <p>1. Southbound on Copper Creek approximately 150 feet south of SH 46.</p> <p>Ranches at Creekside Unit 2A</p> <p>1. Northbound on Copper Creek approximately 150 feet northwest of Herff Ranch Blvd.</p>
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Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Service Enhancement <input checked="" type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Master Plan Recommendation <input type="checkbox"/> Other:
Strategic Alignment (Example: C2 – Customer Feedback, B1 – Data Driven Decision)	C3 – Collaborating with community partners to enhance quality of life
Financial Considerations	Stop signs will be provided with construction of the streets. Speed limits signs are proposed to be paid for by the current developer of Ranches at Creekside.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	N/A

ORDINANCE NO. 2024-05

AN ORDINANCE AUTHORIZING THE INSTALLATION OF STOP SIGNS AND ESTABLISHING SPEED LIMITS FOR THE FOLLOWING SUBDIVISIONS: SHORELINE PARK PHASE 6, RANCHES AT CREEKSIDE UNIT 2A AND RANCHES AT CREEKSIDE UNIT 1; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION

WHEREAS, pursuant to Texas Transportation Code Section 544.003, the City Council of the City of Boerne is authorized to designate an intersection on a highway under its jurisdiction as a stop and yield intersection and place a sign at one or more entrances to the intersection; and

WHEREAS, Section 545.356 of the Texas Transportation Code provides that where the City Council determines upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on the street or highway, as well as the usual traffic thereon, the City Council may determine and declare a reasonable and safe prima facie speed limit thereon by passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such street or highway; and

WHEREAS, traffic and speed studies, and informal observations have been completed; and

WHEREAS, pursuant to these traffic and speed studies, the City Council hereby finds the speed limits set forth below are reasonable and safe for the roadways and where they differ from the prima facie speed set previously for these roads it is because the prima facie speeds were found by the investigation to be greater or less than is reasonable or safe under the conditions found to exist on these roadways; and

WHEREAS, the City Council, after deliberation, deems it necessary to install stop signs and speed limit signs in certain areas of city streets to promote the public health, safety and general welfare of the citizens and visitors of the City of Boerne.

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

These regulations shall be effective upon the posting of signs reflecting the regulations.

Section 1. Stop signs shall be installed for Shoreline Park Phase 6:

1. Intersection of Aqua Shores and West Boerne Harbor
 - a. Northbound on Aqua Shores
 - b. Southbound on Aqua Shores
 - c. Eastbound on West Boerne Harbor
 - d. Westbound on West Boerne Harbor
2. Intersection of Aqua Shores Drive and Mission Lake Road
 - a. Eastbound on Mission Lake Road
3. Intersection of Mission Lake Road and Siefert Pond Drive
 - a. Northbound on Siefert Pond Drive
 - b. Southbound on Siefert Pond Drive
4. Intersection of Open Puddle Lane and West Boerne Harbor
 - a. Northbound on Open Puddle Lane
5. Intersection of Siefert Pond Drive and Mission Lake Road
 - a. Northbound on Siefert Pond Drive
 - b. Southbound on Siefert Pond Drive
 - c. Eastbound on Mission Lake Road
 - d. Westbound on Mission Lake Road

Section 2. Stop signs shall be installed for Ranches at Creekside Unit 2A:

1. Intersection of Herff Ranch Boulevard, Copper Creek, and Paint Creek
 - a. Northbound on Herff Ranch Boulevard
 - b. Southbound on Paint Creek
 - c. Eastbound on Copper Creek
 - d. Westbound on Copper Creek

Section 3. Speed limit of 35 miles per hour is hereby adopted and speed limit signs shall be installed for Ranches at Creekside Unit 1:

1. Southbound on Copper Creek approximately 150 feet south of SH 46.

Section 4. Speed limit of 35 miles per hour is hereby adopted and speed limit signs shall be installed for Ranches at Creekside Unit 2A

1. Northbound on Copper Creek approximately 150 feet northwest of Herff Ranch Blvd.

Section 5. Violation of this ordinance shall be punishable with a maximum fine not to exceed \$200 for each violation.

Section 6. The City Secretary is hereby authorized and directed to publish the caption in the newspaper as provided by law.

PASSED and APPROVED on first reading this the ____ day of April, 2024.

PASSED, APPROVED and ADOPTED on second reading this the ____ day of May, 2024.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney



AGENDA ITEM SUMMARY

Agenda Date	April 23, 2024										
Requested Action	CONSIDER RESOLUTION NO. 2024-R24; AUTHORIZING THE EXECUTION OF CHANGE ORDER NO.1 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND LONESTAR SITEWORK, LLC FOR THE REPAIR OF THE WEST THEISSEN CULVERT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$11,475.00.										
Contact Person	Jeffrey Carroll – Engineering & Mobility Director										
Background Information	<p>The West Theissen drainage culvert for Frederick Creek was determined to be a safety concern and required an emergency repair. For this repair staff selected Lonestar Sitework, LLC, which is a contractor that has successfully performed several past projects in Boerne. The City Manager executed the contract on December 12, 2023. The bid for the scope of work was in the amount of \$89,830, with a line item for an unknown quantity of flowable fill at a cost of \$255 per square yard. Flowable fill (also known as Controlled Low Strength Material) is cementitious slurry which is used as a backfill in lieu of compacted earth.</p> <p>The amount of flowable fill could not be determined prior to the demolition of the existing infrastructure and construction of the new culvert. Upon completion of construction the actual quantity needed was 45 cubic yards. This flowable fill amount was required to complete the repair of the project without delay.</p> <p>Staff originally negotiated a total price of \$89,830 for the project, excluding the unknown amount of flowable fill. We request that the Council approve change order No.1 for an additional amount of \$11,475.00 for the 45 cubic yards of flowable fill as described.</p>										
Item Justification	<table border="0"> <tr> <td><input type="checkbox"/> Legal/Regulatory Obligation</td> <td><input checked="" type="checkbox"/> Infrastructure Investment</td> </tr> <tr> <td><input type="checkbox"/> Reduce Costs</td> <td><input type="checkbox"/> Customer Pull</td> </tr> <tr> <td><input type="checkbox"/> Increase Revenue</td> <td><input type="checkbox"/> Service Enhancement</td> </tr> <tr> <td><input checked="" type="checkbox"/> Mitigate Risk</td> <td><input type="checkbox"/> Process Efficiency</td> </tr> <tr> <td><input type="checkbox"/> Master Plan Recommendation</td> <td><input type="checkbox"/> Other:</td> </tr> </table>	<input type="checkbox"/> Legal/Regulatory Obligation	<input checked="" type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Reduce Costs	<input type="checkbox"/> Customer Pull	<input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Service Enhancement	<input checked="" type="checkbox"/> Mitigate Risk	<input type="checkbox"/> Process Efficiency	<input type="checkbox"/> Master Plan Recommendation	<input type="checkbox"/> Other:
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Strategic Alignment (Example: C2 – Customer Feedback, B1 – Data Driven Decision)	F2 – Investing in and maintaining high-quality infrastructure systems and public assets.
Financial Considerations	Project was not included within budget and a budget amendment was approved
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Lonestar Change Order No. 1

RESOLUTION NO. 2024-R24

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND LONESTAR SITEWORK, LLC FOR THE REPAIR OF THE WEST THEISSEN CULVERT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$11,475.00

WHEREAS, during an inspection it was determined erosion at the West Theissen Culvert undermined the structural stability of the roadway; and

WHEREAS, City Council approved Resolution No. 2024-R04, authorizing an agreement with Lonestar Sitework, LLC to make the emergency repairs to avoid risk of roadway failure for an amount not to exceed \$89,830.00; and

WHEREAS, the amount of flowable fill could not be determined prior to the demolition of the existing infrastructure and construction of the new culvert and was not included in the negotiated price; and

WHEREAS, the City Council finds it necessary to execute Change Order No. 1 to the agreement with Lonestar Sitework, LLC for the repair of the West Theissen Culvert;

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

The City Council hereby authorizes the execution of Change Order No. 1 to the agreement between the City of Boerne and Lonestar Sitework, LLC for the repair of the West Theissen Road Culvert at Cibolo Creek for an additional amount not to exceed \$11,475.00.

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

APPROVED:

Mayor

ATTEST:

City Secretary

Lone Star Sitework
PO Box 1867
Wimberley, TX 78676

Lone Star Sitework

Estimate

Date	Estimate #
4/5/2024	20296

Name / Address
City of Boerne PO BOX 1677 Boerne, TX 78006

P.O. No.	Rep
W Theissen Culvert...	MH

Description	Qty	Rate	Total
W Theissen Culvert Repair Boerne, TX CHANGE ORDER Per Original Estimate # 20278 Additional flowable fill to fill in void underneath existing pavement would be poured \$255/ yard per concrete truck measurement ticket.	45	255.00	11,475.00

This proposal may be withdrawn if not accepted within 30 days.

Signature _____ Date: _____


Subtotal	\$11,475.00
Sales Tax (0.0%)	\$0.00
Total	\$11,475.00

E-mail
megan@lonestarsitework.com



AGENDA ITEM SUMMARY

Agenda Date	April 23, 2024
Requested Action	CONSIDER RESOLUTION NO. 2024-R25; AUTHORIZING THE CITY MANAGER TO CONTRACT WITH HDR ENGINEERING, INC. FOR DESIGN SERVICES ON THE TRAILS OF HERFF RANCH RECLAIMED WATER MAIN EXTENSION AND SH-46 RECLAIMED WATER PIPELINE BORE IN AN AMOUNT NOT TO EXCEED \$340,000.
Contact Person	Michael Mann – Utilities Director
Background Information	<p>Our reclaimed water utility was created via the requirements placed on WCID #2 (Esperanza) when we agreed to provide potable water service within the development. Not only was their GBRA water supply transferred to the City, but their development proceeded with the installation of a completely separate water system (purple pipe) for all automated landscape within the District. Subsequent to the Esperanza agreement, the City executed a cooperative funding agreement with Ranches at Creekside for extension of the system into that neighborhood as well. The development of the reclaimed water utility has been a huge success for conserving potable water from our other resources. Increases in reclaimed water availability will come as expansions to the Esser Road Wastewater Treatment and Recycling Center (WWTRC) occur, which will at some point include transferring of flow from the Esser Road Wastewater Treatment Plant (WWTP).</p> <p>With the creation of this utility, we have to manage it as we do the potable water system. This includes not only additional production capability, but also system transportation and storage enhancement (pipes and tanks) to serve the growing service population.</p> <p>We will need a new reclaimed water main extension to provide capacity and redundancy within the system sometime in the next 3-5 years. To accomplish this, we plan to extend a new main through Trails of Herff Ranch between Browns Creek and Herff Ranch Blvd. as shown on the map below.</p>

	 <p>We will also need more pipeline capacity between Ranches at Creekside and Esperanza, so we intend to design and construct a second bored pipeline crossing of SH-46 in conjunction with the Trails of Herff Ranch main.</p> <p>The extension of the main through Trails of Herff Ranch will also allow for expanding the reclaimed system to serve individual homes in that neighborhood as well. It was constructed before the reclaimed water system was developed, but extending service into that neighborhood would be affordable compared to other areas of town if desired to further enhance potable water conservation in the future.</p> <p>We have chosen HDR Engineering for the design of these two reclaimed water pipeline extension projects based on past performance, their knowledge of our systems, and other qualifications. Their proposal (copy attached) includes construction phase services which will be useful for future project budgeting work. But we request Council Approval for only the proposed cost of design services at this point, plus an additional 5 percent allowance for potential scope changes that may be necessary. The total design funding requested is \$340,000.</p>										
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Strategic Alignment	<p>B1 – Utilizing data to drive smart decision making.</p> <p>B2 – Advancing master plan recommendations.</p> <p>F1- Committing to strategic, responsible, and conservative financial management.</p> <p>F2 – Investing in and maintaining high-quality infrastructure systems and public assets.</p>										

Financial Considerations	This project is included in our Water Utility Impact Fee Capital Improvements Plan. We can fund this work from our Water Impact Fee Fund.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	We could choose to delay the design until the need for construction is imminent.
Supporting Documents	HDR Proposal

RESOLUTION NO. 2024-R25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE TRAILS OF HERFF RANCH RECLAIMED WATER LINE AND SH-46 RECLAIMED WATER PIPELINE BORE FOR AN AMOUNT NOT TO EXCEED \$340,000.00

WHEREAS, the City executed a cooperative funding agreement with Ranches at Creekside for extension of the reclaimed water system into that neighborhood; and

WHEREAS, HDR Engineering Inc. was selected for the design of these two reclaimed water pipeline extension projects based on past performance, their knowledge of our systems, and other qualifications; and

WHEREAS, the City Council of Boerne finds it necessary to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 32 Trails of Herff Ranch Reclaimed Water Line for an amount not to exceed \$340,000.00;

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

The City Council hereby authorizes the City Manager to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 32 Trails of Herff Ranch Reclaimed Water Line for an amount not to exceed \$340,000.00.

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

APPROVED:

Mayor

ATTEST:

City Secretary

TASK ORDER No. 32
Trails of Herff Ranch Reclaimed Water Line

This Task Order pertains to an Agreement by and between The City of Boerne, ("CITY/OWNER"), and HDR Engineering, Inc. ("ENGINEER"), dated October 10, 2023, ("the Agreement"). ENGINEER shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 32

PROJECT NAME: Trails of Herff Ranch Reclaimed Water Line

PART 1.0 PROJECT DESCRIPTION:

OWNER intends to construct approximately 3,700 linear feet of 12-inch reclaimed water line (Project). The reclaimed water line will tie into an existing reclaimed water line at City Park Road, and generally follow City Park Road to the Trails of Herff Ranch subdivision. The anticipated alignment will follow Lasso Falls Road and Herff Ranch Boulevard before connecting to an existing reclaimed water line at the southern end of the Ranches at Creekside subdivision as illustrated on Exhibit 1. The full alignment is anticipated to be located within City right of way.

The Project also includes a short segment that will connect existing reclaimed water lines on the north and south sides of Highway 46 at Esperanza Boulevard. This segment is anticipated to be constructed via trenchless technology (e.g., jack and bore) under Highway 46.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

1. Project Kickoff, Management, Coordination, Data Acquisition and Review

- a. ENGINEER will provide overall project management of ENGINEER's scope of work including budget monitoring, scheduling, invoicing, internal project quality assurance reviews, correspondence and communication, and documentation of project assumptions and deliverables.
- b. ENGINEER will coordinate with OWNER and subconsultants including surveying, subsurface utility engineering (SUE) and geotechnical.
- c. ENGINEER will attend a project kickoff meeting with the OWNER.
 - i. The meeting will review the reclaimed water line alignment, design objectives and identify available data and data needs.
- d. ENGINEER will receive, from the OWNER, available existing data relevant to existing reclaimed water infrastructure.

ENGINEER Deliverables:

1. Data needs requested of OWNER, in email format.

2. Kickoff meeting materials, agenda, invoices, monthly progress reports, and meeting notes, in electronic PDF format.

Meetings:

1. One kickoff meeting to review project scope, schedule, goals, roles, data needs and communication procedures. Meeting will be in person at OWNER'S offices, and attended by ENGINEER's project manager and project engineer.

2. Topographic Survey and Utility Investigation

- a. ENGINEER will subcontract the services of a surveyor to obtain the following along the Project alignment:
 - i. Topographical survey of the proposed alignment, from ROW to ROW, estimated at approximately 50 feet;
 - ii. Establish horizontal and vertical control;
 - iii. Surface observable utilities, features and structures including, but not limited to: edges of pavements, sidewalks, buildings, power poles, vaults, structures, risers, fire hydrants, manholes, storm sewer inlets, water valves, water meters, gas valves, overhead utility lines and guy lines;
 - iv. Sanitary sewer and storm sewer manhole invert elevations and pipe diameters of existing sanitary sewer lines along the alignment (Lasso Falls and Herff Ranch Boulevard); and
 - v. Current deeds or plats for each property along the route and contact the appropriate agencies for other ROW data.
- b. ENGINEER will subcontract the services of a subsurface utility engineer (SUE) to perform an exploration of existing utilities along the Project alignment.
 - i. SUE activities will include Quality Service Level (QL) D, C and B within the project limits, in accordance with American Society of Civil Engineers (ASCE) C-1-38-22.
 - ii. QL-D will include records research to obtain as-built location information from utility providers.
 - iii. QL-C will include field surveying to obtain the horizontal position of visible utility surface features associated with underground utility systems.
 - iv. QL-B will include location of subsurface utilities using geophysical prospecting techniques, including electromagnetic, sonic, and acoustical techniques.
- c. ENGINEER will utilize the survey and SUE information to prepare mapping of existing utilities.

ENGINEER Deliverables:

1. Topographic survey and SUE information in electronic CAD and PDF format.

Assumptions:

1. CITY will provide available information on existing utility information.
2. CITY staff are available to assist with test holes and uncovering existing utilities to help locate existing utilities and/or identify approximate depth of existing utilities.
3. No real estate, right of way, temporary or permanent easements are required.
4. Rights of entry are not required. If rights of entry become necessary, the CITY will coordinate with landowners.
5. Since ENGINEER has no influence over survey permissions and landowner issues, this has not been accounted for in this Task Order.
6. This Task Order does not include standby time, holiday, or weather days (force majeure).
7. Probing of utilities is not included in this proposal.
8. Data collected from the ENGINEER's survey subconsultant's SUE Level services will be included on the corresponding engineering design drawings. The responsibility of locating, exposing, and/or protecting utilities during construction is the sole responsibility of OWNER's construction contractor as defined in OWNER's construction agreement.
9. Extent of access roads, laydown yards, extra workspaces, and/or parking areas will be surveyed once these areas have been defined by ENGINEER and/or OWNER. These areas have not been accounted for in this proposal and would be considered additional services.
10. SUE work will not include QL-A effort, which includes locating the horizontal and vertical position of subsurface utilities by excavating test holes using vacuum excavation techniques. QL-A would be considered additional services.
11. Traffic control will be provided by subconsultant utilizing normal methods including standard placement of traffic cones, free standing warning signage and vehicle mounted traffic direction design.

3. Geotechnical Investigation

- a. ENGINEER will subcontract the services of a geotechnical subconsultant to perform a geotechnical investigation.
 - i. The investigation includes six boring. Two borings will be located at the Highway 46 trenchless crossing, and be 20 feet deep. Four of the borings will be located along the Trails of Herff Ranch alignment and be 10 feet deep.
 - ii. The investigation will include index properties and strength tests to characterize subsurface conditions.
 - iii. The subconsultant will provide a geotechnical data report containing boring logs and test results.
 - iv. ENGINEER will perform engineering analyses of the field and laboratory data from subconsultant to provide design and construction recommendations.

ENGINEER Deliverables:

1. Geotechnical data report and boring logs in electronic PDF format.

Assumptions:

1. Rights of entry are not required. If rights of entry become necessary, the CITY will coordinate with landowners.
2. Borings will be located in the ROW and not require patching or repair of roadway surface.
3. The subconsultant will be responsible for proper disposal of drill cuttings.
4. The subconsultant will be responsible for utility locate calls prior to drilling bores.
5. The boring locations will be accessible by truck-mounted drill rig.
6. Traffic control will be provided by subconsultant utilizing normal methods including standard placement of traffic cones, free standing warning signage and vehicle mounted traffic direction design.
7. OWNER will mark utility locations prior to field boring activities.

4. Preliminary Engineering

- a. ENGINEER will evaluate findings of data collection, topographic survey, SUE investigation, and geotechnical investigation to prepare preliminary engineering design recommendations.
 - i. Proposed reclaimed water line alignment will be adjusted to resolve potential utility conflicts.
- b. ENGINEER will coordinate with TxDOT regional office regarding utility permitting required for the Highway 46 crossing.
- c. ENGINEER will develop a Technical Memorandum to summarize findings of preliminary engineering phase, including:
 - i. ENGINEER's design parameters for the new pipeline.
 - ii. Plan views of recommended horizontal alignment, reflecting a design stage of approximately 30%, including connections and approximate number and locations of proposed pipeline tie-ins.
 - iii. Pipe materials.
 - iv. Anticipated construction methods.
 - v. Utility conflict resolution.
 - vi. Traffic control.
 - vii. Pavement repair.
 - viii. Engineer's opinion of probable construction cost (OPCC).
 - ix. Permitting requirements.

ENGINEER Deliverables:

1. Draft and Final Technical Memorandums, in electronic PDF format.

Meetings:

1. ENGINEER will attend one meeting to review the results of preliminary engineering and proposed horizontal alignment. Meeting will be held in person, at City of Boerne offices, be one hour in duration, and attended by ENGINEER's project manager and project engineer.

Assumptions:

1. The City's reclaimed water model will identify projected flows and operating pressure.
2. Because the full alignment has been recently disturbed by construction activities and does not cross any water ways or sensitive features, no environmental or cultural resources evaluation is included, and would be considered additional services.
3. The proposed reclaimed water line will be 12 inches in diameter. No evaluation of pipe size is required.
4. The OWNER will provide as-built information on any utilities owned by the City of Boerne along the alignment.
5. The OPCC will be a Class 5 estimate with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE) Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.
6. The proposed reclaimed water line will be located within existing City property, easements or right of way. No real estate or easement acquisition services are required, including temporary construction easements.

5. Final Design, Preparation of Bid Documents, and TxDOT Permitting Assistance

- a. ENGINEER will prepare construction documents (plan drawings and specifications) indicating the scope, extent and character of the work to be performed and furnished by the Contractor.
- b. ENGINEER will perform quality control reviews of the design calculations, plans, specifications, and OPCC in accordance with ENGINEER's Quality Plan.
- c. ENGINEER will submit interim deliverables for Owner review at the following milestones:

- i. 60% Design, consisting of:
 - 1. Construction drawings, as described above.
 - 2. Technical Specification Table of Contents.
 - 3. OPCC (Class 3).
 - ii. 90% Design, consisting of:
 - 1. Construction drawings, as described above.
 - 2. Technical Specifications.
 - 3. OPCC (Class 2).
 - iii. Final OPCC (Class 1), and Bid Documents, consisting of:
 - 1. Final signed and sealed construction drawings, as described above.
 - 2. Final signed and sealed technical specifications.
- d. ENGINEER will submit permitting documentation to TxDOT on behalf of the City to obtain the necessary permits for the Highway 46 utility crossing.
 - i. Required TxDOT permitting is anticipated to be limited to a Utility Installation Request (UIR). Beginning in January of 2024, TxDOT is replacing the previous UIR process with Right of Way Utility and Leasing Information System (RULIS).
 - ii. ENGINEER will revise drawings and specifications for permit approval.

ENGINEER Deliverables:

- 1. 30% horizontal alignment drawing and OPCC, in electronic PDF format.
- 2. 60% design drawings, specification table of contents, and OPCC, in electronic PDF format.
- 3. 90% design drawings, specifications, and OPCC, in electronic PDF format.
- 4. Final bidding documents, in electronic PDF format and three 11"x17" paper copies. Final OPCC, in electronic PDF format.

Meetings:

- 1. One meeting to review the City's comments on the 60 percent design documents. Meeting will be held in person, one hour in duration, and attended by ENGINEER's project manager and project engineer.
- 2. One meeting to review the City's comments on the 90 percent design documents. Meeting will be held in person, one hour in duration, and attended by ENGINEER's project manager and project engineer.

Assumptions:

- 1. ENGINEER will submit required TxDOT utility permitting information to online platform on OWNER's behalf, using the City's TxDOT UIR/RULIS login information. Additional permitting requirements beyond the UIR/RULIS will be considered additional services.
- 2. Drawings will be prepared in AutoCAD format, using ENGINEER's CAD standards.

3. Specifications will utilize HDR's master specifications and will confirm to the 48-division format of the Construction Specifications Institute (CSI).
4. Construction drawings will be prepared on 22" x 34" full-size drawings, allowing for reproduction at a half-size scale of 11" x 17". Plan and profile sheets will be produced at a 1" = 40' full-size scale for plan (horizontal) view and 1" = 5' full-size scale for profile (vertical) allowing for approximately 1,000 linear feet of pipeline to be placed on a single plan and profile sheet, unless otherwise noted.
5. Expected construction plans include approximately 20 total sheets, including:
 - Cover, General Abbreviations, Symbols, and Notes, Key Map – 7 sheets
 - Reclaimed water plan and profile – 6 sheets
 - Highway 46 crossing – 1 sheet
 - Erosion Control – 1 sheet
 - Details – 5 sheets
 - Traffic Control – 1 sheet
6. The OPCCs will be the class noted above, with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE) Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.

6. Bid Phase Services

- a. ENGINEER will provide Bid Phase services to the OWNER, including:
 - i. Distribution of bid documents, by uploading documents to the CivCast website.
 - ii. Development agenda for and conduct one pre-bid meeting. The pre-bid meeting will be held in person at the project site or OWNER's offices, attended by ENGINEER's project manager and project engineer.
 - iii. Preparation and distribution of addenda containing clarifications and modifications to the Bid Documents.
- b. ENGINEER will attend bid opening. Following the bid opening, ENGINEER will:
 - i. Review bids received for inclusion of required information and correct bid price tabulation.
 - ii. Review contractor qualifications for performing the required work.
 - iii. Evaluate the apparent low bidder in accordance with the Bid Documents.
 - iv. Make a written recommendation to the OWNER for the award of the contract.
 1. Recommendation will be made based on the lowest responsive and responsible bid.

- c. ENGINEER will prepare Conformed Documents (Addenda changes incorporated into Bid Documents).

ENGINEER Deliverables:

1. Pre-bid meeting agenda, in electronic Word format.
2. Up to two Addenda, in electronic PDF format. ENGINEER will upload the addenda to CivCast.
3. Written recommendation of award, in PDF format.
4. Bid Documents (consisting of final design drawings and specifications), in electronic PDF format and three half-size printed versions.
5. Conformed Documents (consisting of final design drawings and specifications, incorporating changes made by addenda), in electronic PDF format and three half-size printed versions.

Assumptions:

1. The OWNER will issue contract documents to the selected contractor.
2. ENGINEER will provide conformed documents as a courtesy to the contractor who is awarded the contract.
3. The OWNER will receive and review executed documents and insurance certificates.
4. The pre-bid meeting will be at OWNER'S offices, and followed by a site visit. The combined duration of the pre-bid meeting and site visit is anticipated to be up to two hours. The pre-bid meeting will be attended by ENGINEER's project manager and project engineer.
5. The bid opening will be at OWNER's offices, and attended by ENGINEER's Project Manager.
6. ENGINEER will not be required to attend a City Council meeting to present the recommendation of award.

7. Construction Phase Services

- a. ENGINEER will provide Construction Phase services to the OWNER, including:
 - i. Development of agenda for and attendance at one pre-construction meeting.
 - ii. Attend up to four construction coordination meetings, as requested by OWNER. Additional meeting attendance will be considered additional services.
 - iii. Review of up to 40 technical submittals.
 - iv. Review and respond to up to 12 contractor requests for information (RFIs).
 - v. Review and respond to up to six Change Proposal Requests (CPRs). Process accepted CPRs into up to two Change Orders (COs).
 - vi. Review up to six monthly Contractor Pay Applications.

- vii. Setup and maintain a log of all submittals, RFIs, CPRs and COs.
- viii. Attend and perform Substantial Completion walk-through after notice from the contractor that the work is substantially complete, and prepare a punch list.
- ix. Provide notice of Substantial and Final Completion notice to Contractor, once OWNER and ENGINEER agree the relevant completion milestone has been reached.
- x. Prepare record drawings based on markups provided by the Contractor.
- xi. Prepare documentation to close out the project.

ENGINEER Deliverables:

- 1. Preconstruction meeting agenda and notes.
- 2. Reviewed submittals (up to 40).
- 3. RFI responses (up to 12).
- 4. Record drawings, in electronic PDF format.

Assumptions:

- 1. Construction progress meetings will be held as needed and not on a regular monthly basis. It is assumed that up to four progress meetings will be required during the duration of construction.
- 2. ENGINEER's recommendation of contractor pay applications will be dependent on OWNER input when ENGINEER has not made a site visit that month.
- 3. OWNER will attend and perform the Final Completion walk-through. ENGINEER's attendance at final walk-through is not required.
- 4. The OWNER will provide all construction observation and inspection services.
- 5. Record Drawings depicting the completed Project, or a specific portion of the completed Project, prepared by Engineer based on Contractor's record copy of Drawings, Specifications, Addenda, Change Orders, Work Change Directives, Field Orders, and written interpretations and clarifications, as delivered to ENGINEER and annotated by Contractor to show changes made during construction.
- 6. ENGINEER will not perform any site observation unless requested by the OWNER. Site observation will be considered additional services.
- 7. ENGINEER shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work, or to perform special inspections as defined in the applicable codes or required by the authorities having jurisdiction. ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
- 8. ENGINEER shall rely on the ENGINEER's best judgment in providing advice to the CITY so that, when completed, the project will be in general conformance to the

Contract Documents. ENGINEER shall not be responsible for the failure of the contractor to perform the construction work in accordance with the Contract Documents and the contract for construction; however, ENGINEER shall report to the CITY any deficiencies in the work actually detected by the ENGINEER.

9. After Contractor's review and approval, ENGINEER shall review and take appropriate action on the Contractor's submittals, such as Shop Drawings, Product Data and samples, but only for conformance with the design concept of the project and compliance with the information given in the Contract Documents. Such reviews shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. The review of a specific item shall not indicate review of an assembly of which the item is a component.
10. Construction progress meetings will be scheduled and led by the contractor, held in person at either at the project site or OWNER's office. Progress meetings will be up to one hour in duration, and attended by ENGINEER'S project manager and project engineer.

PART 3.0 OWNER'S RESPONSIBILITIES:

The OWNER shall be responsible for the following:

- Provide data pertinent to the project.
- Participate in teleconferences and meetings.
- Review and approve ENGINEER'S invoices.

PART 4.0 PERIODS OF SERVICE:

ENGINEER is authorized to begin rendering services as of the date of Notice to Proceed (NTP). ENGINEER shall complete its obligations per the following schedule:

- | | |
|--------|--|
| Task 1 | Ongoing throughout duration of project. |
| Task 2 | 75 calendar days after NTP. |
| Task 3 | 75 calendar days after NTP. |
| Task 4 | 90 calendar days after completion of Tasks 2 and 3. |
| Task 5 | 150 calendar days after completion of Task 4. It is anticipated that the 60 and 90 percent review meetings with the OWNER will be held one week following each deliverable to maintain the project schedule. |

- Task 6 Dependent on bid phase duration (anticipated to be approximately one month).
- Task 7 Dependent on Construction Duration (anticipated to be approximately six months).

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER'S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If any specified dates for the completion of ENGINEER'S services are exceeded through no fault of the ENGINEER, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER'S compensation shall be equitably adjusted.


PART 5.0 ENGINEER'S FEE:

Compensation shall be on a lump sum basis for Tasks 1 through 5, and on an hourly not-to-exceed basis for Tasks 6 and 7, as follows:

TASK No.	FEE
Task 1: Project Kickoff, Management, Coordination, Data Acquisition and Review (Lump Sum)	\$29,900
Task 2: Topographic Survey and Utility Investigation (Lump Sum)	\$84,920
Task 3: Geotechnical Investigation (Lump Sum)	\$27,000
Task 4: Preliminary Engineering (Lump Sum)	\$45,400
Task 5: Final Design, Preparation of Bid Documents, and TxDOT Permitting Assistance (Lump Sum)	\$136,200
Task 6: Bid Phase Services (Hourly not-to-exceed)	\$20,100
Task 7: Construction Phase Services (Hourly not-to-exceed)	\$70,500
Total Professional Services	\$414,020

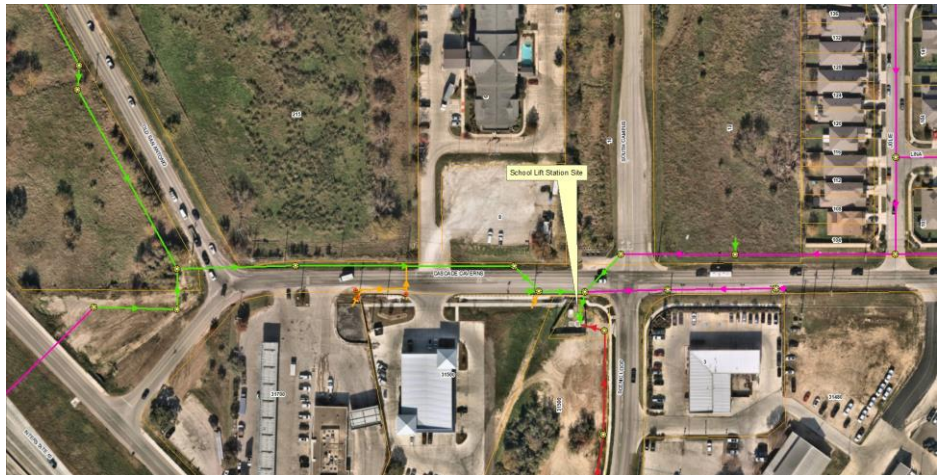
ENGINEER will submit monthly invoices listing the amount of work completed to date as a percentage of the lump fee for Tasks 1 through 5. ENGINEER will submit monthly invoices listing the hours charged and using the billing rates listed in Exhibit A of the Agreement for Tasks 6 and 7. Billing rates shall be updated annually at the beginning of each calendar year to reflect changes in personnel compensation.

This Task Order is executed this _____ day of _____, 2024. Execution of this Task Order shall serve as ENGINEER’S Notice to Proceed.

<u>CITY OF BOERNE</u>		<u>HDR ENGINEERING, INC.</u>	
<u>"OWNER"</u>		<u>"ENGINEER"</u>	
BY:	_____	BY:	
NAME:	<u>Ben Thatcher</u>	NAME:	<u>Todd Warrix, P.E.</u>
TITLE:	<u>City Manager</u>	TITLE:	<u>Vice President</u>
ADDRESS:	<u>447 N. Main St.</u> <u>Boerne, TX 78006</u>	ADDRESS:	<u>613 NW Loop 410, Suite 700</u> <u>San Antonio, TX 78216</u>



AGENDA ITEM SUMMARY

Agenda Date	April 23, 2024
Requested Action	APPROVE RESOLUTION NO. 2024-R26; AUTHORIZING THE CITY MANAGER TO CONTRACT WITH HDR ENGINEERING, INC. FOR DESIGN SERVICES ON THE PROJECT TO ADD A THIRD WET WELL, YARD PIPING AND CONTROLS AT THE SCHOOL LIFT STATION IN AN AMOUNT NOT TO EXCEED \$465,000.
Contact Person	Michael Mann – Utilities Director
Background Information	<p>The wastewater utility operates a lift station at the southeast corner of the Cascade Caverns/Scenic Loop intersection. The purpose of that station is to collect wastewater flows from a large drainage basin downstream and pump it up to the Old San Antonio Road Wastewater Treatment and Recycling Center (WWTRC). Unless another treatment plant is ever constructed south of the City, that lift station will remain in permanent operation. We recently completed the installation of a second wet-well on the site as an interim capacity improvement since we are providing wholesale treatment of flows from WCID #3A (Corley Farms). The final phase of the lift-station improvements will add a third wet-well, more pumps/yard piping, and the replacement of controls to automate the operation of the station. This will provide the ultimate anticipated storage and pumping capacity to service full development of the basin.</p>  <p>The City's Engineering and Mobility Department has a proposed project</p>

	<p>to widen portions of Cascade Caverns Road, Old San Antonio Road and Scenic Loop Road. That work will likely encroach upon the lift station site. Thus, we have been collaborating to coordinate the designs of the overlapping work. It is necessary for the City to complete our ultimate site planning work to finalize the utility's space needs on the property. Other related improvements on the downstream force-main and larger gravity collector mains will occur with the roadway improvement projects where required.</p> <p>We do not expect the wastewater improvements will be required for 5-8 years from a capacity standpoint. But we currently have project management manpower available to manage design work due to construction delays on other projects. Proceeding with the design now will provide a "shovel-ready" project without inflationary design cost increases and in the event grant funding for the work might become available. But the primary funding source for this design and the subsequent construction will be developer contributions (Corley Farms) and impact fees.</p> <p>We have chosen HDR Engineering for the design of the project based on past performance, their knowledge of our systems, and other qualifications. HDR was the designer on our second wet-well installation and has been assisting in our preliminary site needs discussions. Their proposal (copy attached) includes construction phase services which will be useful for future project budgeting work. But we request Council Approval for only the proposed cost of design services at this point, plus an additional 5 percent allowance for potential scope changes that may be necessary. The total design funding requested is \$465,000.</p>
Item Justification	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input 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 type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: </div> </div>
Strategic Alignment	<p>B1 – Utilizing data to drive smart decision making.</p> <p>B2 – Advancing master plan recommendations.</p> <p>F1- Committing to strategic, responsible, and conservative financial management.</p> <p>F2 – Investing in and maintaining high-quality infrastructure systems and public assets.</p>

Financial Considerations	This project is included in our Water Utility Impact Fee Capital Improvements Plan. We can fund this work from our Water Impact Fee Fund. The primary funding source for the work is developer contributions.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	We could choose to delay the design until the need for construction is imminent.
Supporting Documents	HDR Proposal

RESOLUTION NO. 2024-R26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE SCHOOL LIFT STATION EXPANSION PROJECT FOR AN AMOUNT NOT TO EXCEED \$465,000.00

WHEREAS, the City's wastewater utility operates the School Lift Station at the southeast corner of the Cascade Caverns/Scenic Loop intersection; and

WHEREAS, this project would add a third wet well for the existing School Lift Station, more pumps/yard piping and replacement of controls to automate the operation of the station; and

WHEREAS, HDR Engineering Inc. was selected for the design based on past performance, their knowledge of our systems, and other qualifications; and

WHEREAS, the City Council of Boerne finds it necessary to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 33 School Lift Station Expansion Project for an amount not to exceed \$465,000.00;

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

The City Council hereby authorizes the City Manager to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 33 School Lift Station Expansion Project for an amount not to exceed \$465,000.00.

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

APPROVED:

Mayor

ATTEST:

City Secretary

TASK ORDER No. 33 **School Lift Station Expansion**

This Task Order pertains to an Agreement by and between The City of Boerne, ("CITY/OWNER"), and HDR Engineering, Inc. ("ENGINEER"), dated October 10, 2023, ("the Agreement"). ENGINEER shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 33

PROJECT NAME: School Lift Station Expansion

PART 1.0 PROJECT DESCRIPTION:

The proposed improvements to the School Lift Station are anticipated to be sized based on ultimate conditions, as described in the June 13, 2016 Capacity Evaluation and Phasing Plan Memorandum prepared by HDR. The OWNER will provide information on any additional developments to include in the ultimate capacity estimation.

The project will include design, bidding and construction phase services for the construction of a new, third wet well for the existing School Lift Station, sized to meet projected build-out conditions, as well as a diversion structure to provide ability to divert flow from the east to this new wet well or an existing wet well (Project). The Project will include replacement pumps and control panels for the proposed wet well and two existing wet wells, as well as a standby generator.

A future phase of the project will include capacity upgrades to the receiving force main and gravity sanitary sewer. This capacity upgrades in the future will change the head condition on the pumps, and the pump selections performed as part of this Task Order will be based on the upgraded force main capacity. An expansion plan will be prepared to outline how and when pumps will be upgraded and coordinated with the timing of the increase in force main capacity. Design of the upgraded force main capacity is not included in this scope of services.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

Task 1 – Project Kickoff, Management, Coordination and Data Acquisition Review

- a. ENGINEER will provide overall project management of tasks including budget monitoring, scheduling, invoicing, internal project quality assurance reviews, correspondence and communication, and documentation of project assumptions and deliverables.
- b. ENGINEER will attend a project kickoff meeting and site visit with the OWNER.
 - i. The meeting will review the lift station expansion capacity, design objectives, and identify available data and data needs.

- c. ENGINEER will receive, from the OWNER, available existing data relevant to the existing lift station and sanitary sewer infrastructure. Data anticipated to be collected includes:
 - i. Available data on current gravity sewer system, drainage area, and utility maps including available GIS files.
 - ii. Available as-built or record drawings for the School Lift Station and associated gravity and force mains.
 - iii. Available lift station operation data.
 - iv. Build-out information on proposed and in-progress developments in the lift station service area.

ENGINEER Deliverables:

- 1. Data needs requested of OWNER, in email format.
- 2. Kickoff meeting materials, agenda, invoices, monthly progress reports, and meeting notes, in electronic PDF format.

Meetings:

- 1. One kickoff meeting to review project scope, schedule, goals, roles, data needs and communication procedures. Meeting will be two hours in duration, held in person at OWNER'S offices and followed by a site visit, and attended by ENGINEER's project principal, project manager and two project engineers.

Assumptions:

- 1. The OWNER provides requested data.
- 2. HDR's site visit(s) to gather existing or as-built information will not be exhaustive and will be limited to visual and tactile means of observation of accessible portions of the work and will not include any items that are not easily visible (capable of being seen and exposed to view). If hidden, unforeseen, or out of scope conditions are identified during observations or construction, additional services may be required.

Task 2 – Topographic Survey

- a. ENGINEER will subcontract the services of a surveyor to obtain the following:
 - i. Topographic survey of the lift station site, and establish horizontal and vertical control.
 - ii. Locations of existing structures and above grade appurtenances.
 - iii. Location of planimetric features such as sidewalks, fences, walls, buildings, curbs, edge of pavement, vaults and signs.
 - iv. Research and obtain the current deed or plat for the property.

- v. Location and invert elevation of two gravity influent sanitary sewer manholes.

ENGINEER Deliverables:

1. Subconsultant electronic survey file.

Assumptions:

1. The OWNER will facilitate access to property for any survey, site visits or investigations required.
2. CITY will provide available information on existing utilities.
3. This task does not include subsurface utility engineering (SUE).

Task 3 – Geotechnical Investigation

- a. ENGINEER will subcontract the services of a geotechnical firm to perform a geotechnical investigation.
 - i. The geotechnical field investigation will consist of one 40-foot deep geotechnical boring, collect data, and test certain soil characteristics.
 - ii. The laboratory testing program will include index properties and strength tests.
 - iii. The subconsultant will provide a geotechnical data report containing boring logs and test results.
 - iv. ENGINEER will perform engineering analyses of the field and laboratory data will be performed to provide geotechnical boring logs and construction recommendations.

ENGINEER Deliverables:

1. Geotechnical subconsultant data report and boring log, in electronic PDF format.

Assumptions:

1. The OWNER will facilitate access to property for any survey, site visits or investigations required.
2. Field work will be conducted with a truck-mounted rig and no site clearing will be required.
3. The subconsultant will be responsible for proper disposal of drill cuttings.
4. The subconsultant will be responsible for utility locate calls prior to drilling bores.
5. Traffic management will be provided by subconsultant, if required.

Task 4 – Preliminary Engineering

- a. ENGINEER will review current data and growth projections to validate, and update as necessary, assumptions made during previous studies and design, including:
 - i. Maximum capacity of existing wet wells.
 - ii. Required capacity of proposed wet well.
 - iii. Required pump capacity for each wet well.
 - iv. Required force main capacity to handle additional lift station capacity.
 - v. Standby power.
- b. ENGINEER will develop a site plan showing the three wet wells (two existing and one proposed) and two diversion structure (one existing and one proposed) locations.
- c. ENGINEER will develop a control strategy to automate flow distribution and operation of three wet wells.
- d. ENGINEER will prepare a Basis of Design Report to outline findings of the preliminary engineering phase design assumptions, and generally reflecting a design stage of approximately 30%, including:
 - i. Design parameters for the expanded lift station, including wet well volume, pump capacity, and generator sizing.
 - ii. Ultimate site plan.
 - iii. Phasing plan to coordinate installation and timing of new pumps in the three wet wells with proposed force main capacity upgrades.
 - iv. Anticipated construction methods.
 - v. Control strategy.
 - vi. Engineer's opinion of probable construction cost (OPCC).

ENGINEER Deliverables:

1. Draft and Final Basis of Design Report with preliminary Opinion of Probable Construction Cost.

Assumptions:

1. The wet well improvements will be completed within the existing School lift station property and within existing easements or right of way, and will not require property or easement acquisition. If easement or right of way acquisition becomes necessary, it may be considered additional services.
2. Design of downstream force main and gravity main improvements are not included and will be part of a later phase of this project.
3. Preparing a wetland delineation, a jurisdictional determination, and an antiquities evaluation are not included in this proposal. If these services become needed, they will be authorized by an amendment to the engineering contract.
4. The OPCC will be a Class 5 estimate with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE)

Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.

Task 5 - Final Design and Bid Document Preparation

- a. ENGINEER will prepare construction documents (plan drawings and specifications) indicating the scope, extent and character of the work to be performed and furnished by the Contractor. The major elements of the lift station expansion are:
 - i. Addition of a third wet well structure.
 - ii. Addition of a valve vault.
 - iii. Addition of a new diversion structure.
 - iv. Addition of two new pumps to each of the two existing wells, and the proposed wet well, including new pump control panels.
 - v. Development of a control strategy to automate operation of all three wet wells, allowing for a future expansion of the force main capacity.
 - vi. Addition of standby power facilities.
- b. ENGINEER will perform quality control reviews of the design calculations, plans, specifications, and OPCC in accordance with ENGINEER's Quality Plan.
- c. ENGINEER will submit interim deliverables for Owner review at the following milestones:
 - i. 60% Design, consisting of:
 1. Construction drawings, as described above.
 2. Technical Specifications Table of Contents.
 3. OPCC (Class 3).
 - ii. 90% Design, consisting of:
 1. Construction drawings, as described above.
 2. Technical Specifications.
 3. OPCC (Class 2).
 - iii. Final OPCC (Class 1), and Bid Documents, consisting of:
 1. Final signed and sealed construction drawings, as described above.
 2. Final signed and sealed technical specifications.

ENGINEER Deliverables:

1. 60% design drawings, specification table of contents, and OPCC, in electronic PDF format.
2. 90% design drawings, specifications, and OPCC, in electronic PDF format.

3. Final bidding documents, in electronic PDF format and three 11"x17" paper copies.
Final OPCC, in electronic PDF format.

Meetings:

1. One meeting to review the City's comments on the 60 percent design documents. Meeting will be held in person, one hour in duration, and attended by ENGINEER's project manager and project principal.
2. One meeting to review the City's comments on the 90 percent design documents. Meeting will be held in person, one hour in duration, and attended by ENGINEER's project manager and project principal.

Assumptions:

1. Pump selections will be based on future force main capacity, which will be implemented in a future phase. Design of upgrades to the force main capacity are not included in this scope of work, and would be considered additional services.
2. Pump control panels will be in weather-proof NEMA 4A enclosures. Design of a new control building is not included in this scope of services, and would be considered additional services.
3. The new wet well, valve vault and diversion structures will be all precast concrete structures and be deferred structural design to the Contractor's precast concrete manufacturer.
4. The new standby power facility is assumed to be supported on a shallow concrete mat foundation. Design of deep foundations, if required, would be considered additional services.
5. Any temporary shoring required during Construction would be designed by the Contractor.
6. Drawings will be prepared in AutoCAD format, using ENGINEER's CAD standards.
7. Specifications will utilize HDR's master specifications and will confirm to the 48-division format of the Construction Specifications Institute (CSI).
8. Expected construction plans include approximately 30 total sheets, including:
 - Cover, Abbreviations, Symbols, Notes – 10 sheets
 - Site plans – 2 sheets
 - Wet well and valve vault enlarged plan – 1 sheet
 - Wet well and valve vault sections - 2 sheets
 - Diversion structure section – 1 sheet
 - Gravity influent plan and profile – 1 sheet
 - Details – 6 sheets
 - Electrical power plan and one line diagram – 2 sheets
 - Instrumentation and controls P&ID and one line diagram – 2 sheets
 - Electrical and instrumentation details - 2 sheets
 - Traffic control – 1 sheet

9. The OPCCs will be the class noted above, with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE) Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.
10. The OWNER will facilitate access to property for any survey, site visits or investigations required.

Task 6 – Bid Phase Services

- a. ENGINEER will provide Bid Phase services to the OWNER, including:
 - i. Distribution of bid documents, by uploading documents to the CivCast website.
 - ii. Development of agenda for and attendance at one pre-bid meeting. The pre-bid meeting will be held in person at the project site or OWNER's offices, attended by ENGINEER's project manager and project engineer.
 - iii. Preparation and distribution of addenda containing clarifications and modifications to the Bid Documents.
- b. ENGINEER will attend bid opening. Following the bid opening, ENGINEER will:
 - i. Review bids received for inclusion of required information and correct bid price tabulation.
 - ii. Review contractor qualifications for performing the required work. Evaluate the apparent low bidder in accordance with the Bid Documents. Make a written recommendation to the OWNER for the award of the contract. Recommendation will be made based on the lowest responsive and responsible bid.
- c. ENGINEER will prepare Conformed Documents (Addenda changes incorporated into Bid Documents).

ENGINEER Deliverables:

1. Pre-bid meeting agenda, in electronic Word format.
2. Up to two Addenda, in electronic PDF format. ENGINEER will upload the addenda to CivCast.
3. Written recommendation of award, in PDF format.
4. Bid Documents, in electronic PDF format and three half-size printed versions.

5. Conformed Documents (consisting of final design drawings and specifications, incorporating changes made by addenda), in electronic PDF format and three half-size printed versions.

Assumptions:

1. The OWNER will issue contract documents to the selected contractor.
2. ENGINEER will provide conformed documents as a courtesy to the contractor who is awarded the contract.
3. The OWNER will receive and review executed documents and insurance certificates.
4. The pre-bid meeting will be at OWNER'S offices, and followed by a site visit. The combined duration of the pre-bid meeting and site visit is anticipated to be up to two hours. The pre-bid meeting will be attended by ENGINEER's project manager.
5. The bid opening will be at OWNER's offices, and attended by ENGINEER's project manager.
6. ENGINEER will not be required to attend a City Council meeting to present the recommendation of award.

Task 7 – Construction Phase Services

- a. ENGINEER will provide Construction Phase services to the OWNER, including:
 - i. Development of agenda for and attendance at one pre-construction meeting.
 - ii. Attend up to six construction coordination meetings, as requested by OWNER, located at OWNER's office or project site with a duration of up to one hour. Additional meeting attendance will be considered additional services.
 - iii. Review of up to 50 technical submittals.
 - iv. Review and respond to up to 15 contractor requests for information (RFIs).
 - v. Review and respond to up to six Change Proposal Requests (CPRs). Process accepted CPRs into up to two Change Orders (COs).
 - vi. Review up to nine monthly Contractor Pay Applications.
 - vii. Setup and maintain a log of all submittals, RFIs, CPRs and COs.
 - viii. Attend Substantial Completion walk-through after notice from the contractor that the work is substantially complete, attended by ENGINEER's project manager and up to two project engineers.
 - ix. Provide notice of Substantial and Final Completion notice to Contractor, once OWNER and ENGINEER agree the relevant completion milestone has been reached.
 - x. Preparation of record drawings based on markups provided by the Contractor.

ENGINEER Deliverables:

1. Preconstruction meeting agenda and notes.
2. Reviewed submittals (up to 50).
3. RFI responses (up to 15).
4. Record drawings, in electronic PDF format.

Assumptions:

1. Construction progress meetings will be held as needed and not on a regular monthly basis. It is assumed that up to six progress meetings will be required during the duration of construction.
2. ENGINEER's recommendation of contractor pay applications will be dependent on OWNER input when ENGINEER has not made a site visit that month.
3. OWNER will attend and perform the Final Completion walk-through. ENGINEER's attendance at final walk-through is not required.
4. The OWNER will provide all construction observation and inspection services.
5. Record Drawings depicting the completed Project, or a specific portion of the completed Project, prepared by Engineer based on Contractor's record copy of Drawings, Specifications, Addenda, Change Orders, Work Change Directives, Field Orders, and written interpretations and clarifications, as delivered to ENGINEER and annotated by Contractor to show changes made during construction.
6. ENGINEER will not perform any site observation unless requested by the OWNER. Site observation will be considered additional services.
7. ENGINEER shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work, or to perform special inspections as defined in the applicable codes or required by the authorities having jurisdiction. ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
8. ENGINEER shall rely on the ENGINEER's best judgment in providing advice to the CITY so that, when completed, the project will be in general conformance to the Contract Documents. ENGINEER shall not be responsible for the failure of the contractor to perform the construction work in accordance with the Contract Documents and the contract for construction; however, ENGINEER shall report to the CITY any deficiencies in the work actually detected by the ENGINEER.
9. After Contractor's review and approval, ENGINEER shall review and take appropriate action on the Contractor's submittals, such as Shop Drawings, Product Data and samples, but only for conformance with the design concept of the project and compliance with the information given in the Contract Documents. Such reviews shall not extend to means, methods, techniques, sequences, or procedures of

construction or to safety precautions and programs incident thereto. The review of a specific item shall not indicate review of an assembly of which the item is a component.

10. Construction progress meetings will be scheduled and led by the contractor, held in person at either at the project site or OWNER’s office. Progress meetings will be up to one hour in duration, and attended by ENGINEER’S project manager and project engineer.

PART 3.0 OWNER’S RESPONSIBILITIES:

The OWNER shall be responsible for the following:

- Provide data pertinent to the project.
- Participate in teleconferences and meetings.
- Review and approve ENGINEER’S invoices.

PART 4.0 PERIODS OF SERVICE:

ENGINEER is authorized to begin rendering services as of the date of Notice to Proceed (NTP). ENGINEER shall complete its obligations per the following schedule:

Task 1	Ongoing throughout duration of project.
Task 2	90 calendar days after NTP.
Task 3	90 calendar days after NTP.
Task 4	60 calendar days after Completion of Tasks 2 and 3.
Task 5	150 calendar days after completion of Task 4. It is anticipated that the 60 and 90 percent review meetings with the OWNER will be held one week following each deliverable to maintain the project schedule.
Task 6	Dependent on bid phase duration (anticipated to be approximately one month).
Task 7	Dependent on Construction Duration (anticipated to be approximately nine months).

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER’S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If any specified dates for the completion of ENGINEER’S services are exceeded through no fault of the ENGINEER, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER’S compensation shall be equitably adjusted.


PART 5.0 ENGINEER'S FEE:

Compensation shall be on a lump sum basis for Tasks 1 through 5, and on an hourly not-to-exceed basis for Tasks 6 and 7, as follows:

TASK No.	FEE
Task 1: Project Kickoff, Management, Coordination, Data Acquisition and Review (Lump Sum)	\$46,100
Task 2: Topographic Survey (Lump Sum)	\$16,300
Task 3: Geotechnical Investigation (Lump Sum)	\$14,500
Task 4: Preliminary Engineering (Lump Sum)	\$71,500
Task 5: Final Design and Preparation of Bid Documents (Lump Sum)	\$294,300
Task 6: Bid Phase Services (Hourly not-to-exceed)	\$25,000
Task 7: Construction Phase Services (Hourly not-to-exceed)	\$124,800
Total Professional Services	\$592,500

ENGINEER will submit monthly invoices listing the amount of work completed to date as a percentage of the lump fee for Tasks 1 through 5. ENGINEER will submit monthly invoices listing the hours charged and using the billing rates listed in Exhibit A of the Agreement for Tasks 6 and 7. Billing rates shall be updated annually at the beginning of each calendar year to reflect changes in personnel compensation.

This Task Order is executed this _____ day of _____, 2024. Execution of this Task Order shall serve as ENGINEER'S Notice to Proceed.

CITY OF BOERNE	HDR ENGINEERING, INC.
"OWNER"	"ENGINEER"
BY: _____	BY: 
NAME: Ben Thatcher	NAME: Todd C. Warrix, P.E.
TITLE: City Manager	TITLE: Vice President
ADDRESS: 447 N. Main St. Boerne, TX 78006	ADDRESS: 613 NW Loop 410, Suite 700 San Antonio, TX 78216



AGENDA ITEM SUMMARY

Agenda Date	April 23, 2024
Requested Action	CONSIDER RESOLUTION NO. 2024-R27; AUTHORIZING THE CITY MANAGER TO CONTRACT WITH HDR ENGINEERING, INC. FOR DESIGN SERVICES ON THE SOUTH CIBOLO SEWER MAIN EXTENSION IN AN AMOUNT NOT TO EXCEED \$416,000.
Contact Person	Michael Mann – Utilities Director
Background Information	<p>The City's wastewater utility operates two treatment plants. The original plant is located on Esser Road (WWTP). The newer plant is located on Old San Antonio Road (WWTRC). The WWTRC was designed to be expanded to service building of the full capacity of our potable water production capability, including potential transfer of flow from the Esser Plant.</p> <p>Both treatment plants hold TCEQ discharge permits, which mandate planning for additional capacity at 75% of permitted average daily discharge and construction at 90%. The Esser Plant has a 1.2 MGD (average) discharge permit. Expansion at the Esser site is not feasible due to anticipated regulatory requirements. The Old San Antonio Plant operates under its originally permitted flow of 1.4 MGD, but it was designed for three expansions to an ultimate average discharge of 5.2 MGD.</p> <p>At present, the running annual average discharge from the Esser Plant and the Old San Antonio Plant are 68 and 67 percent, respectively (816,000 and 938,000 MGD). The Esser Plant has been higher in the past, but some flow has already been transferred to the new plant via lift station eliminations made possible by distribution system expansions that occurred with site development. In the future, it will be necessary to transfer most of the remaining Esser Plant flow to the WWTRC via a new collector main along the Cibolo Creek east of Herff Road as shown on the map below. This anticipated flow transfer was a factor in selection of the WWTRC site downstream within the Cibolo Creek drainage basin.</p>



To satisfy the regulatory requirement of being in planning for plant capacity at Esser, we should complete the design of the proposed South Cibolo Collector Main. The remaining average flow after the transfer should be between 0.2-0.3 MGD, which will be much less than 75 percent of our permitted maximum flow. But the flow increases at Esser are slower due to lack of additional service installation in the service area of that plant. So, construction of the project (and transfer of flow between plants) should not be needed for 5-7 years – when the average daily plant flow reaches 90 percent of its permitted capacity (1.08 MGD).

We have chosen HDR Engineering for the design of this project based on past performance, their knowledge of our systems, prior system planning work, and other qualifications. Their proposal (copy attached) includes construction phase services which will be useful for future project budgeting work. But we request Council Approval for only the proposed cost of design services at this point, plus an additional 5 percent allowance for potential scope changes that may be necessary. The total design funding requested is \$416,000.

As an aside, we anticipate issuing a Request for Qualifications for engineering design of an expansion at the WWTRC later this fiscal year. The design will likely need to start at the beginning of FY 24-25. The main cause of this anticipated expansion is anticipated service population growth. We expect that the WWTRC expansion will need to be complete by the end of 2027.

If/when we transfer flow from the Esser Plant to the Old San Antonio Plant as contemplated in our planning work as presented above, we could use up most of the remaining capacity in that “expanded” plant. This would accelerate the need for another WWTRC expansion. But we will take this into consideration as we go forward with work on the WWTRC.

One other consideration about the timing of this proposed Sewer Collector

	design and construction work is reclaimed water availability. Increasing flow to the WWTRC sooner would result in more near-term reclaimed water production capability. We could then more rapidly expand our reclaimed water distribution system into other nearby areas if desired. This additional production capacity should be sufficient for irrigation of athletic fields (such as those in City Park) and several hundred more residential yards (such as those in Trails of Herff Ranch).
Item Justification	<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 checked="" type="checkbox"/> Service Enhancement </div> <div> <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency </div> <div> <input checked="" type="checkbox"/> Master Plan Recommendation <input type="checkbox"/> Other: </div>
Strategic Alignment	B1 – Utilizing data to drive smart decision making. B2 – Advancing master plan recommendations. F1- Committing to strategic, responsible, and conservative financial management. F2 – Investing in and maintaining high-quality infrastructure systems and public assets.
Financial Considerations	This project is included in our Wastewater Utility Impact Fee Capital Improvements Plan. We can fund this work from our Wastewater Impact Fee Fund.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	We could choose to delay the design until the need for construction is imminent, but that delay could likely not be long.
Supporting Documents	HDR Proposal

RESOLUTION NO. 2024-R27

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR DESIGN SERVICES OF THE SOUTH CIBOLO SEWER EXTENSION FOR AN AMOUNT NOT TO EXCEED \$416,000.00

WHEREAS, In the future, it will be necessary to transfer most of the remaining flow from the Esser Road Wastewater Treatment Plant to the Old San Antonio Road Water Wastewater Treatment and Recycling Center via a new collector main along Cibolo Creek east of Herff Road; and

WHEREAS, completing the design of the South Cibolo Collector Main is crucial for meeting regulatory requirements and ensuring adequate planning for plant capacity at the Esser location; and

WHEREAS, HDR Engineering Inc. was selected for the design based on past performance, their knowledge of our systems, and other qualifications; and

WHEREAS, the City Council of Boerne finds it necessary to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 34 South Cibolo Sewer Extension for an amount not to exceed \$416,000.00;

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

The City Council hereby authorizes the City Manager to enter into and manage an agreement with HDR Engineering, Inc. for Task Order No. 34 South Cibolo Sewer Extension for an amount not to exceed \$416,000.00.

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

APPROVED:

Mayor

ATTEST:

City Secretary

TASK ORDER No. 34
South Cibolo Sewer Extension

This Task Order pertains to an Agreement by and between The City of Boerne, ("CITY/OWNER"), and HDR Engineering, Inc. ("ENGINEER"), dated October 10, 2023, ("the Agreement").

ENGINEER shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 34

PROJECT NAME: South Cibolo Sewer Extension

PART 1.0 PROJECT DESCRIPTION:

OWNER intends to construct approximately 4,600 linear feet of 30-inch or 36-inch gravity sanitary sewer main (Project). The sanitary sewer will generally follow the west side of Cibolo Creek and connect two existing stub-outs, one on a 30-inch main near Herff Road and Highway 46, the other tying into the 48-inch interceptor to the Wastewater Treatment and Recycling Center (WWTRC). The full alignment is anticipated to be located within City owned property.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

1. Project Kickoff, Management, Coordination, Data Acquisition and Review

- a. ENGINEER will provide overall project management of ENGINEER's scope of work including budget monitoring, scheduling, invoicing, internal project quality assurance reviews, correspondence and communication, and documentation of project assumptions and deliverables.
- b. ENGINEER will coordinate with OWNER and subconsultants including surveying, subsurface utility engineering (SUE) and geotechnical.
- c. ENGINEER will attend a project kickoff meeting with the OWNER.
 - i. The meeting will review the sanitary sewer alignment, design objectives and identify available data and data needs.
- d. ENGINEER will receive, from the OWNER, available existing data relevant to existing sanitary sewer infrastructure.

ENGINEER Deliverables:

1. Data needs requested of OWNER, in email format.
2. Kickoff meeting materials, agenda, invoices, monthly progress reports, and meeting notes, in electronic PDF format.

Meetings:

1. One kickoff meeting to review project scope, schedule, goals, roles, data needs and communication procedures. Meeting will be in person at OWNER'S offices, up to one hour in duration, and attended by ENGINEER's project manager and project engineer.

2. Topographic Survey and Subsurface Utility Engineering

- a. ENGINEER will subcontract the services of a surveyor to obtain the following along the Project alignment:
 - i. Topographical survey of the proposed alignment. Topographic data will consist of an approximate 150-foot wide corridor along the project route, from the City's property boundary west of the proposed alignment to the east bank of Cibolo Creek.
 - ii. Cibolo Creek features including flowline, top of bank, toe of bank and water surface elevation.
 - iii. Surface observable utilities and structures including, but not limited to: power poles, vaults, structures, risers, fire hydrants, manholes, storm sewer inlets, water valves, water meters, gas valves, overhead utility lines and guy lines.
 - iv. Manhole invert elevations and pipe diameters of existing sanitary sewer stub-outs, and manhole invert elevations and pipe diameters connecting the Esser Road wastewater treatment plant to the existing stub-out near Herff Road and Highway 46.
 - v. Existing trees within the ROW or adjacent to survey limits and accessible that are eight inches in diameter or larger, will be located and tagged. Trees will be represented on the survey plans and a table will list each tag number, common name, and size.
 - vi. Current deeds or plats for each property along the route and contact the appropriate agencies for other ROW data.
- b. ENGINEER will subcontract the services of a subsurface utility engineer (SUE) to perform an exploration of existing utilities along the Project alignment.
 - i. SUE activities will include Quality Service Level (QL) D and C within the project limits, in accordance with American Society of Civil Engineers (ASCE) C-1-38-22.
 - ii. QL-D will include records research to obtain as-built location information from utility providers.
 - iii. QL-C will include field surveying to obtain the horizontal position of visible utility surface features associated with underground utility systems.

ENGINEER Deliverables:

1. Topographic survey and SUE information in electronic CAD and PDF format.

Assumptions:

1. CITY will provide available information on existing utility information.
2. CITY staff are available to assist with test holes and uncovering existing utilities to help locate existing utilities and/or identify approximate depth of existing utilities.
3. No real estate, right of way, temporary or permanent easements are required.
4. Rights of entry are not required. If rights of entry become necessary, the CITY will coordinate with landowners.
5. Since ENGINEER has no influence over survey permissions and landowner issues, this has not been accounted for in this Task Order.
6. This Task Order does not include standby time, holiday, or weather days (force majeure).
7. Probing of utilities is not included in this proposal.
8. Data collected from the ENGINEER's survey subconsultant's SUE Level services will be included on the corresponding engineering design drawings. The responsibility of locating, exposing, and/or protecting utilities during construction is the sole responsibility of OWNER's construction contractor as defined in OWNER's construction agreement.
9. Extent of access roads, laydown yards, extra workspaces, and/or parking areas will be surveyed once these areas have been defined by ENGINEER and/or OWNER. These areas have not been accounted for in this proposal.
10. SUE work will not include QL-B or QL-A efforts. QL-B and QL-A would be considered additional services.
11. Traffic control will be provided by subconsultant utilizing normal methods including standard placement of traffic cones, free standing warning signage and vehicle mounted traffic direction design.

3. Geotechnical Subsurface Exploration

- a. ENGINEER will subcontract the services of a geotechnical subconsultant to perform a geotechnical investigation.
 - i. The investigation includes five boring locations, each 50 feet deep.
 - ii. The investigation will include index properties and strength tests to characterize subsurface conditions.
 - iii. The subconsultant will provide a geotechnical data report containing boring logs and test results.
 - iv. ENGINEER will perform engineering analyses of the field and laboratory data from subconsultant in the geotechnical data report to provide design and construction recommendations.

ENGINEER Deliverables:

1. Geotechnical data report and boring logs, in electronic PDF format.

Assumptions:

1. Rights of entry are not required. If rights of entry become necessary, the CITY will coordinate with landowners.
2. The subconsultant will be responsible for proper disposal of drill cuttings and surface repair/restoration.
3. The subconsultant will be responsible for utility locate calls prior to drilling bores.
4. The boring locations will be accessible by truck-mounted drill rig.
5. Traffic control will be provided by subconsultant utilizing normal methods including standard placement of traffic cones, free standing warning signage and vehicle mounted traffic direction design.
6. OWNER will mark utility locations prior to field boring activities.

4. Environmental and Cultural Resources Evaluation

- a. ENGINEER will conduct a site visit within a single, one-day mobilization to delineate potential waters of the United States. The site visit will also include a general habitat evaluation to assess potential environmental permit requirements.
- b. ENGINEER will collect sub-meter GPS data of the ordinary high water mark of streams and wetland boundary, if needed, for use in potential avoidance by design and construction.
- c. ENGINEER will review information from the engineering design and construction to evaluate potential impacts and permit requirements.
- d. ENGINEER will prepare a Technical Memorandum summarizing the findings of the preliminary permitting evaluation.
- e. ENGINEER will perform a desktop database review of the Texas Historical Commission (THC) Archaeological Sites Atlas, Historical Sites Atlas and the Texas General Land Office. This research will define previous cultural resources sites, archaeological sites, cemeteries, historic markers, or other, located within a one-mile buffer of the project area.
- f. ENGINEER will consult data from the US Department of Agriculture Natural Resources Conservation Soil Service, the Geologic Map of Texas, and the Texas Department of Transportation's Potential Archaeological Liability Maps to assess the potential for the project area to contain preserved archaeological deposits.
- g. ENGINEER will review historical maps and aerial photography to identify potential historic archaeological sites and architectural resources.
 - i. The proposed alignment potentially includes a known archaeological site, and field work is anticipated to determine the presence or absence of archaeological resources to mitigate during design. Per the Antiquities Code of Texas, ENGINEER will obtain a THC Antiquities Permit and evaluate identified resources for their eligibility for inclusion in the National Register of Historic Places (NRHP) or as a designated State Antiquities Landmark (SAL). A report will be prepared describing the survey analysis results and recommendations.

ENGINEER Deliverables:

1. Technical Memorandum summarizing the findings of the preliminary environmental permitting evaluation.
2. Technical Memorandum summarizing the cultural resources survey, in compliance with the guidelines published by the Council of Texas Archaeologists, the THC, and the Secretary of the Interior's Guidelines.

Assumptions:

1. ENGINEER assumes a pre-construction notification (PCN) to and/or other coordination with the United States Army Corps of Engineers (USACE) is not anticipated and is not included in this scope of services.
2. No permit applications, agency coordination, or species-specific surveys are included.
3. Phase II archaeological testing and/or Phase III data recovery is not included in the scope of work. Should the survey determine additional investigation and/or agency consultation is warranted, it will be covered under a separate scope of work.

5. Preliminary Engineering

- a. ENGINEER will evaluate findings of data collection, topographic survey, SUE investigation, geotechnical investigation, and environmental and cultural resources assessment to prepare preliminary engineering design recommendations.
- b. ENGINEER will develop a draft Technical Memorandum to summarize findings of preliminary engineering phase, including:
 - i. ENGINEER's design parameters for the new pipeline.
 - ii. Plan views of recommended horizontal alignment, reflecting a design stage of approximately 30%, including connections and approximate number and locations of proposed pipeline tie-ins.
 - iii. ENGINEER will review hydraulics of existing influent infrastructure to the Esser Road WWTP. Alignment, diameter and depth of proposed sewer line will allow for future diversion of flows from the Esser Road WWTP, if desired by the City in the future.
 - iv. Verification of pipe size and materials. Pipe size is anticipated to be 30 inches or 36 inches in diameter. ENGINEER will consider minimum flushing velocities of 2 feet/second at current average dry weather flows, as well as anticipated peak wet weather flows in 2050, with and without flows from the Esser Road WWTP.
 - v. Anticipated construction methods.
 - vi. Utility conflict resolution.
 - vii. Engineer's opinion of probable construction cost (OPCC).

Meetings:

1. ENGINEER will attend one meeting to review the results of preliminary engineering and proposed horizontal alignment. Meeting will be held in person, at City of

Boerne offices, be one hour in duration, and attended by ENGINEER's project manager and project principal.

ENGINEER Deliverables:

1. Draft and Final Technical Memorandum, in electronic PDF format.

Assumptions:

1. The CITY will provide staff knowledge on existing pipeline stub-out locations and condition.
2. ENGINEER will include an evaluation of pipe size and any additional structures required to convey flows that currently discharge to the Esser Road wastewater treatment plant, if the plant is decommissioned in the future, through the proposed sewer line.
3. The OPCC will be a Class 5 estimate with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE) Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.
4. The proposed sanitary sewer main will be located within existing City property, easements or right of way. No real estate or easement acquisition services are required, including temporary construction easements.

6. Final Design and Bid Documents

- a. ENGINEER will prepare construction documents (plan drawings and specifications) indicating the scope, extent and character of the work to be performed.
- b. ENGINEER will submit interim deliverables for Owner review at the following milestones:
 - i. 60% Design:
 1. Construction drawings, as described above.
 2. Technical Specification Table of Contents.
 3. Opinion of Probable Construction Cost (Class 3).
 - ii. 90% Design:
 1. Construction drawings, as described above.
 2. Technical Specifications.
 3. Opinion of Probable Construction Cost (Class 2).
 - iii. Bid Documents
 1. Final signed and sealed construction drawings, as described above.

2. Final signed and sealed technical specifications.
3. Opinion of Probable Construction Cost (Class 1).
- c. ENGINEER will submit a summary transmittal letter to TCEQ describing the project and compliance with Chapter 217 regulations.

ENGINEER Deliverables:

1. 60% design drawings, specification table of contents, and OPCC, in electronic PDF format.
2. 90% design drawings, specifications, and OPCC, in electronic PDF format.
3. Final bidding documents, in electronic PDF format and three 11"x17" paper copies. Final OPCC, in electronic PDF format.
4. TCEQ summary transmittal letter, in PDF format.

Meetings:

1. One meeting to review the City's comments on the 60 percent design documents. Meeting will be held in person, and attended by ENGINEER's project manager and project principal.
2. One meeting to review the City's comments on the 90 percent design documents. Meeting will be held in person, and attended by ENGINEER's project manager and project principal.

Assumptions:

1. No relocation of existing utilities will be required.
2. No trenchless creek or roadway crossings will be required.
3. No TxDOT utility permitting will be required.
4. Any temporary shoring during construction will be designed by the contractor.
5. Drawings will be prepared in AutoCAD format, using ENGINEER's CAD standards.
6. Specifications will utilize HDR's master specifications and will confirm to the 48-division format of the Construction Specifications Institute (CSI).
7. Construction drawings will be prepared on 22" x 34" full-size drawings, allowing for reproduction at a half-size scale of 11" x 17". Plan and profile sheets will be produced at a 1" = 40' full-size scale for plan (horizontal) view and 1" = 5' full-size scale for profile (vertical) allowing for approximately 1,000 linear feet of pipeline to be placed on a single plan and profile sheet, unless otherwise noted.
8. Expected construction plans include approximately 30 total sheets, including:
 - Cover, General Abbreviations, Symbols, and Notes, Key Map – 8 sheets
 - Tree protection plan and details – 2 sheets
 - Sanitary Sewer plan and profile – 8 sheets
 - Erosion Control – 3 sheets
 - Details – 8 sheets
9. Design of a structure, or modifications to existing facilities, to divert flow from the Esser Road WWTP is not part of this scope of services.
10. The OPCCs will be the class noted above, with the associated level of expected accuracy as defined by the Association for the Advancement of Cost Engineering (AACE) Recommended Practice No. 18R (2016). ENGINEER's OPCCs are to be made

on the basis of ENGINEER's experience, qualifications, and general familiarity with the construction industry. However, because ENGINEER has no influence over the cost of labor, materials, equipment, or services furnished by others; contractors' methods of determining prices; competitive bidding; or market conditions, ENGINEER cannot and does not promise proposals, bids, or actual construction cost will not vary from OPCCs prepared by ENGINEER. If OWNER requires greater confidence as to OPCC, then OWNER agrees to obtain an independent cost estimate.

7. Bid Phase Services

- a. ENGINEER will provide Bid Phase services to the OWNER, including:
 - i. Distribution of bid documents, by uploading documents to the CivCast website.
 - ii. Develop agenda for and conduct one pre-bid meeting. The pre-bid meeting will be held in person at the project site or OWNER's offices, attended by ENGINEER's project manager and project engineer.
 - iii. Preparation and distribution of addenda containing clarifications and modifications to the Bid Documents.
- b. ENGINEER will attend bid opening. Following the bid opening, ENGINEER will:
 - i. Review bids received for inclusion of required information and correct bid price tabulation.
 - ii. Review contractor qualifications for performing the required work. Evaluate the apparent low bidder in accordance with the Bid Documents. Make a written recommendation to the OWNER for the award of the contract. Recommendation will be made based on the lowest responsive and responsible bid.
- c. ENGINEER will prepare Conformed Documents (Addenda changes incorporated into Bid Documents).

ENGINEER Deliverables:

- 1. Pre-bid meeting agenda, in electronic Word format.
- 2. Up to two Addenda, in electronic PDF format. ENGINEER will upload the addenda to CivCast.
- 3. Written recommendation of award, in PDF format.
- 4. Bid Documents (consisting of final design drawings and specifications), in electronic PDF format and three half-size printed versions.
- 5. Conformed Documents (consisting of final design drawings and specifications, incorporating changes made by addenda), in electronic PDF format and three half-size printed versions.

Assumptions:

- 1. The OWNER will issue contract documents to the low selected contractor.
- 2. ENGINEER will provide conformed documents as a courtesy to the contractor who is awarded the contract.

3. The OWNER will receive and review executed documents and insurance certificates.
4. The pre-bid meeting will be at OWNER'S offices, and followed by a site visit. The combined duration of the pre-bid meeting and site visit is anticipated to be up to two hours. The pre-bid meeting will be attended by ENGINEER's project manager and project engineer.
5. The bid opening will be at OWNER's offices, and attended by ENGINEER's Project Manager.
6. ENGINEER will not be required to attend a City Council meeting to present the recommendation of award.

8. Construction Phase Services

- a. ENGINEER will provide Construction Phase services to the OWNER, including:
 - i. Development of agenda for and attendance at one pre-construction meeting.
 - ii. Attend up to eight construction coordination meetings, as requested by OWNER. Additional meeting attendance will be considered additional services.
 - iii. Review of up to 40 technical submittals.
 - iv. Review and respond to up to 12 contractor requests for information (RFIs).
 - v. Review and respond to up to six Change Proposal Requests (CPRs). Process accepted CPRs into up to two Change Orders (COs).
 - vi. Review up to 12 monthly Contractor Pay Applications.
 - vii. Setup and maintain a log of all submittals, RFIs, CPRs and COs.
 - viii. Attend and perform Substantial Completion walk-through after notice from the contractor that the work is substantially complete, and prepare a punch list.
 - ix. Provide notice of Substantial and Final Completion notice to Contractor, once OWNER and ENGINEER agree the relevant completion milestone has been reached.
 - x. Prepare record drawings based on markups provided by the Contractor.
 - xi. Prepare documentation to close out the project.

ENGINEER Deliverables:

1. Preconstruction meeting agenda and notes.
2. Reviewed submittals (up to 40).
3. RFI responses (up to 12).
4. Record drawings, in electronic PDF format.

Assumptions:

1. Construction progress meetings will be held as needed dependent on site activities and progress, and not on a regular monthly basis. It is assumed that ENGINEER's attendance will be at up to eight progress meetings during the duration of

- construction. Progress meetings will be attended by ENGINEER's project manager and project engineer.
2. ENGINEER's recommendation of contractor pay applications will be dependent on OWNER input when ENGINEER has not made a site visit that month.
 3. OWNER will attend and perform the Final Completion walk-through. ENGINEER's attendance at final walk-through is not required.
 4. The OWNER will provide all construction observation and inspection services.
 5. Record Drawings depicting the completed Project, or a specific portion of the completed Project, prepared by Engineer based on Contractor's record copy of Drawings, Specifications, Addenda, Change Orders, Work Change Directives, Field Orders, and written interpretations and clarifications, as delivered to ENGINEER and annotated by Contractor to show changes made during construction.
 6. ENGINEER will not perform any site observation unless requested by the OWNER. Site observation will be considered additional services.
 7. ENGINEER shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work, or to perform special inspections as defined in the applicable codes or required by the authorities having jurisdiction. ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
 8. ENGINEER shall rely on the ENGINEER's best judgment in providing advice to the CITY so that, when completed, the project will be in general conformance to the Contract Documents. ENGINEER shall not be responsible for the failure of the contractor to perform the construction work in accordance with the Contract Documents and the contract for construction; however, ENGINEER shall report to the CITY any deficiencies in the work actually detected by the ENGINEER.
 9. After Contractor's review and approval, ENGINEER shall review and take appropriate action on the Contractor's submittals, such as Shop Drawings, Product Data and samples, but only for conformance with the design concept of the project and compliance with the information given in the Contract Documents. Such reviews shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. The review of a specific item shall not indicate review of an assembly of which the item is a component.
 10. Construction progress meetings will be scheduled and led by the contractor, held in person at either at the project site or OWNER's office. Progress meetings will be up to one hour in duration, and attended by ENGINEER'S project manager and project engineer.
 11. The Contractor and OWNER will be required to submit a Notice of Intent (NOI) to TCEQ for compliance with the Texas Pollutant Discharge Elimination System (TPDES) Stormwater General Permit TXR150000 at the beginning of construction. The Contractor will keep the Storm Water Pollution Prevention Plan (SWPPP) up to date and on-site.

PART 3.0 OWNER'S RESPONSIBILITIES:

The OWNER shall be responsible for the following:

- Provide data pertinent to the project.
- Participate in teleconferences and meetings.
- Review and approve ENGINEER'S invoices.

PART 4.0 PERIODS OF SERVICE:

ENGINEER is authorized to begin rendering services as of the date of Notice to Proceed (NTP). ENGINEER shall complete its obligations per the following schedule:

Task 1	Ongoing throughout duration of project.
Task 2	90 calendar days after NTP.
Task 3	90 calendar days after NTP.
Task 4	90 calendar days after NTP.
Task 5	90 calendar days after completion of Tasks 2, 3 and 4.
Task 6	210 calendar days after completion of Task 5. It is anticipated that the 60 and 90 percent review meetings with the OWNER will be held one week following each deliverable to maintain the project schedule.
Task 7	Dependent on bid phase duration (anticipated to be approximately one month).
Task 8	Dependent on Construction Duration (anticipated to be approximately 12 months).

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER'S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If any specified dates for the completion of ENGINEER'S services are exceeded through no fault of the ENGINEER, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER'S compensation shall be equitably adjusted.

PART 5.0 ENGINEER'S FEE:


Compensation shall be on a lump sum basis for Tasks 1 through 6, and on an hourly not-to-exceed basis for Tasks 7 and 8, as follows:

TASK No.	FEE
Task 1: Project Kickoff, Management, Coordination, Data Acquisition and Review (Lump Sum)	\$45,300
Task 2: Topographic Survey and Utility Investigation (Lump Sum)	\$62,500
Task 3: Geotechnical Investigation (Lump Sum)	\$41,800
Task 4: Environmental and Cultural Resources Investigation (Lump Sum)	\$44,400
Task 5: Preliminary Engineering (Lump Sum)	\$56,700
Task 6: Final Design and Bid Documents (Lump Sum)	\$145,000
Task 7: Bid Phase Services (Hourly not-to-exceed)	\$21,700
Task 8: Construction Phase Services (Hourly not-to-exceed)	\$101,500
Total Professional Services	\$518,900

ENGINEER will submit monthly invoices listing the amount of work completed to date as a percentage of the lump fee for Tasks 1 through 6. ENGINEER will submit monthly invoices listing the hours charged and using the billing rates listed in Exhibit A of the Agreement for Tasks 7 and 8. Billing rates shall be updated annually at the beginning of each calendar year to reflect changes in personnel compensation.

This Task Order is executed this _____ day of _____, 2024. Execution of this

Task Order shall serve as ENGINEER'S Notice to Proceed.

CITY OF BOERNE	HDR ENGINEERING, INC.
"OWNER"	"ENGINEER"
BY: _____	BY:  _____
NAME: Ben Thatcher	NAME: Todd Warrix, P.E.
TITLE: City Manager	TITLE: Vice President
ADDRESS: 447 N. Main St. Boerne, TX 78006	ADDRESS: 613 NW Loop 410, Suite 700 San Antonio, TX 78216