

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**October 13, 2015 – 6:00 PM**

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

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

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

- 4.A.     [2015-233](#)            Approval of Minutes of September 15, 2015 (Special Called), September 18, 2015 (Art Al Fresco) September 22, 2015 (Regular)

Sponsors:            City Secretary Lori Carroll

Attachments:        [MINUTES 15.0915](#)  
                              [MINUTES 15.0918](#)  
                              [MINUTES 15.0922](#)

- 4.B.     [2015-227](#)            Consider Resolution No. 2015-R90; A Resolution Authorizing The City Manager To Pay Regular Invoices And Bills From Specific Providers Of Goods And Services, In Accordance With The Approved Annual Budget, And In Accordance With Section 6.08 Of The City Of Boerne’s Home Rule Charter.

Sponsors:            Finance Director Sandy Mattick

Attachments:        [Payment of bills over \\$15,000 - AIS-10-2015](#)  
                              [2015-R90 Authorize to Pay Bills](#)

- 4.C.**     [2015-214](#)     Consider On Second Reading Ordinance No. 2015-33; An Ordinance Annexing The Hereinafter Described Territory Into The City Of Boerne, Kendall County, Texas And Extending The Boundary Limits Of Said City So As To Include Said Hereinafter Described Property Within The City Limits, And Granting To Said Territory And To All Future Inhabitants Of Said Property All Of The Rights And Privileges Of Other Citizens And Binding Said Future Inhabitants By All Of The Acts And Ordinances Of Said City (3.942 Acres Located At 137 Old San Antonio Road - A Long Stay - At The Request Of The City Of Boerne)

**Sponsors:**     Planning & Community Development Director Chris Turk

**Attachments:**     [137 Old SA - Long annex summary - 2nd reading](#)  
[Att 1 - 137 Old San Antonio location](#)  
[Att 2 - Linda.Long Survey](#)  
[Att 3 - 137 Old SA aerial](#)  
[Ordinance No. 2015-33](#)

- 4.D.**     [2015-196](#)     Consider On Second Reading Ordinance No. 2015-34; An Ordinance Amending The Code Of Ordinances, City Of Boerne, Texas, By Amending Chapter 15, Article IV, Youth Curfew; By Replacing Sections 15.86 Thru 15.90; Providing For Definitions; Establishing Defenses To Prosecution; Establishing An Enforcement Procedure; Providing For A Maximum Penalty Of \$500.00 For Violation Of This Ordinance.

**Sponsors:**     Police Chief James Kohler

**Attachments:**     [AIS](#)  
[Ordinance 2015-34](#)

- 4.E.**     [2015-217](#)     Consider Resolution No. 2015-R91; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne's Home Rule Charter (Repair to a Water Supply Well)

**Sponsors:**     Public Works Director Michael Mann

**Attachments:**     [AIS Well #9 Repair](#)  
[Exhibit 1 of 2 - Well #9 Map.pdf](#)  
[Exhibit 2 of 2 - Aquatech Well #9 Repair Estimate.pdf](#)  
[2015-R91 Water Supply Well](#)

- 4.F.**     [2015-224](#)     Consider Resolution No. 2015-R92; A Resolution Authorizing The City Manager To Enter Into And Manage A Lease Agreement With Apple. (For Ipad)

**Sponsors:**     IT Director Mike Raute

**Attachments:**     [AIS IPAD Lease Purchase.doc](#)  
[Apple Lease email](#)  
[Apple Lease Quote](#)  
[2015-R92 lease agreement with Apple](#)

- 4.G.**     [2015-222](#)     Consider Resolution No. 2015-R93; A Resolution Authorizing The City Manager To Enter Into And Manage An Enterprise License Agreement With ESRI To Renew ESRI GIS Mapping Software.

**Sponsors:**     IT Director Mike Raute

**Attachments:**     [AIS ESRI GIS MAP SOFTWARE.doc](#)  
[City of Boerne Esri 2015 SGELA renewal](#)  
[2015-R93 Enterprise License Agreement - ESRI GIS Mapping Software](#)

- 4.H.**     **2015-223**     Consider Resolution No. 2015-R94; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne's Home Rule Charter (Ford Transit Connect Van)

**Sponsors:**     IT Director Mike Raute

**Attachments:**     AIS Ford Transit Connect  
2016 FordTransit Connect Photo  
Vehicle Proposal\_JAFORD  
Vehicle Proposal\_NSFORD  
2015-R94 Ford Transit Connect Van

- 4.I.**     [2015-246](#)     Consider Resolution No. 2015-R95; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne's Home Rule Charter ( Materials and labor for Bandera Electric Cooperative Relocation of Service, Texas Star Nut and Food Texas Capital Fund Grant)

**Sponsors:**     Planning & Community Development Director Chris Turk

**Attachments:**     [2015.10.07.TSNFC.summary](#)  
[utilitylinefortexasnutcompany](#)  
[2015.10.07.Texas.Star.BEC.relocation](#)  
[2015-R95 Materials and Loabor for Bandera Electric Coop - Tx Star Nut - Capital Fund](#)

- 5.A.**     [2015-243](#)     PUBLIC HEARING - To Hear Comments On The Following:  
To consider the proposed rezoning of 209 Lohmann (PID: 25696), a total of .19 acres, from R-2, Moderate-Density Residential District to B-3, Central Business District. (Bill Bird)

**Sponsors:**     Planning & Community Development Director Chris Turk

**Attachments:**     [Summary](#)  
[Att 1 - 209 Lohmann location](#)  
[Att 2 - 209 Lohmann zoning](#)  
[Public Hearing - 15.1013](#)

**5.B.**     [2015-238](#)

PUBLIC HEARING - To Hear Comments On The Following:

Consider the proposed revisions to the City of Boerne Zoning Ordinance No. 2007-64, Article 1, In General, Section 06. Definitions, To consider the proposed revisions to the City of Boerne Zoning Ordinance No. 2007-64, Article 1, In General, Section 06. Definitions, Section 07. Categories and Description of Uses, Article 3. General Prohibitions and Requirements, Section 06. Accessory Dwellings, Section 09. Combined Commercial Design Standards, Section 10. On-site Parking Requirements, Article 5, Zoning Districts and Use Regulations, Section 03. Permitted Uses, Section 04. Residential Lot Types and Standards, Section 21. Office District, adding Section 31. Cottage Housing Development Overlay District, Article 6. Planning and Zoning Commission, Section 03. Rules and Procedures of the Commission.

**Sponsors:**

Planning & Community Development Director Chris Turk

**Attachments:**

[Summary](#)

[Public Hearing - 15.1013](#)

**6.A.**     [2015-241](#)

TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING: CONSIDER ON FIRST READING ORDINANCE NO. 2015-35; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, ZONING .19 ACRES LOCATED AT 209 LOHMANN ROAD (KAD 25696) FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-3, CENTRAL BUSINESS DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

**Sponsors:**

Planning & Community Development Director Chris Turk

**Attachments:**

[Summary](#)

[Att 1 - 209 Lohmann location](#)

[Att 1a - 209 Lohmann - aerial](#)

[Att 2 - 209 Lohmann zoning](#)

[Att 3 - Landuse](#)

[Att 4 - Rezoning application](#)

[Ordinance 2015-35](#)

- 6.B. [2015-239](#) TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:  
CONSIDER ON FIRST READING ORDINANCE NO. 2015-36; AN ORDINANCE  
AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE  
1, IN GENERAL, SECTION 06. DEFINITIONS, TO CONSIDER THE PROPOSED  
REVISIONS TO THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64,  
ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, SECTION 07. CATEGORIES  
AND DESCRIPTION OF USES, ARTICLE 3. GENERAL PROHIBITIONS AND  
REQUIREMENTS, SECTION 06. ACCESSORY DWELLINGS, SECTION 09.  
COMBINED COMMERCIAL DESIGN STANDARDS, SECTION 10. ON-SITE PARKING  
REQUIREMENTS, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS,  
SECTION 03. PERMITTED USES, SECTION 04. RESIDENTIAL LOT TYPES AND  
STANDARDS, SECTION 21. OFFICE DISTRICT, ADDING SECTION 31. COTTAGE  
HOUSING DEVELOPMENT OVERLAY DISTRICT, ARTICLE 6. PLANNING AND  
ZONING COMMISSION, SECTION 03. RULES AND PROCEDURES OF THE  
COMMISSION.

Sponsors: Planning & Community Development Director Chris Turk

Attachments: [Summary](#)  
[Att 2 - photo3](#)  
[Att 3 - photo4](#)  
[Att 4 - COB Cottage](#)  
[Ordinance No. 2015-36](#)

7. [2015-226](#) PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN  
FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS  
ASSOCIATION FOR FISCAL YEAR 2013-2014.

Sponsors: Finance Director Sandy Mattick

Attachments: [Certificate of Achievement for Excellence in Financial Reporting - 2014](#)

8. [2015-231](#) CONSIDER RESOLUTION NO. 2015-R96; A RESOLUTION NOMINATING  
CANDIDATES TO THE KENDALL COUNTY APPRAISAL DISTRICT BOARD OF  
DIRECTORS.

Sponsors: Michael Schultz

Attachments: [AIS.KAD](#)  
[Kendall Appraisal District Letter](#)  
[2015-R96 KendallAprsIBd Nomination](#)

9. [2015-228](#) CONSIDER RESOLUTION NO. 2015-R97; A RESOLUTION APPROVING THE TAX  
LEVY ROLL OF THE CITY OF BOERNE, TEXAS FOR THE YEAR 2015.

Sponsors: Finance Director Sandy Mattick

Attachments: [2015TaxRollAccept-AGENDA ITEM SUMMARY](#)  
[2015 Tax Roll Summary](#)  
[2015-R97 Tax Levy](#)

10.     [2015-235](#)           UPDATE ON GVTC GIGAREGION PROJECT.
- Sponsors:           Jeff Thompson
- Attachments:     [AIS GigaRegion Update](#)  
                                  [Gigaregion PP Update to Council 101315](#)
11.     [2015-225](#)           PRESENTATION AND CONSIDERATION OF 2016 ECONOMIC DEVELOPMENT  
                                  WORK PLAN.
- Sponsors:           Jeff Thompson
- Attachments:     [AIS FY 2016 ED Work Plan](#)  
                                  [2016 COB Work Plan](#)
12.     [2015-250](#)           CONSIDER RESOLUTION NO. 2015-R98; A RESOLUTION AUTHORIZING THE  
                                  CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY  
                                  AGREEMENT BETWEEN THE CITY OF BOERNE AND BOERNE KENDALL COUNTY  
                                  ECONOMIC DEVELOPMENT CORPORATION.
- Sponsors:           City Attorney Kirsten Cohoon
- Attachments:     [AIS BKCEDC Agreement](#)  
                                  [2015-16 BKCEDC Agreement](#)  
                                  [2015-R98 BKCEDC agreement](#)
13.     [2015-236](#)           CONSIDER RESOLUTION NO. 2015-R99; A RESOLUTION AUTHORIZING THE CITY  
                                  MANAGER TO ENTER INTO AND MANAGE A DEVELOPMENT AGREEMENT  
                                  WITH JCH 1670 RIVER ROAD INVESTMENT LLC. AS PER CHAPTER 43 & SECTION  
                                  212.172 TEXAS LOCAL GOVERNMENT CODE.
- Sponsors:           City Attorney Kirsten Cohoon
- Attachments:     [Summary](#)  
                                  [2015.10.07.1670 River Rd loc 15-1007 asd](#)  
                                  [2015.10.05.JCH.LLC.](#)  
                                  [2015.10.02.Development Agreement.JCH 1670 River Road](#)  
                                  [2015-R99 Development Agreement with JCH 1670 River Road Investment LLC](#)

14. [2015-245](#) CONSIDER RESOLUTION NO. 2015-R100; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (3.915 acres located at 35 Cascade Caverns Road - PID 12245 - at the request of Currey Creek Baptist Church of Boerne)

**Sponsors:** Planning & Community Development Director Chris Turk

**Attachments:** [Summary](#)  
[Att 1 - 35 Cascade Cavern Rd - location](#)  
[Att 2 - Currey.Aerial](#)  
[2015-R100 Currey Creek](#)

15. [2015-249](#) CONSIDER RESOLUTION NO. 2015-R101; A RESOLUTION AMENDING THE AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AND MANAGE NEGOTIATIONS WITH RANDALL SCOTT ARCHITECTS FOR SPACE NEEDS ASSESSMENT AND CONCEPTUAL DESIGN FOR FUTURE MUNICIPAL FACILITIES.

**Sponsors:** Assistant City Manager Linda Zartler

**Attachments:** [AIS Amended Space needs](#)  
[2015-R101 Amended Needs Assessment Study & conceptual design - municipal office](#)

16. [2015-232](#) CONSIDER RESOLUTION NO. 2015-R102; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT FOR OVERSIZING THE WOODS OF BOERNE UNIT 3 WATER MAIN AND GAS MAIN PROJECT.

**Sponsors:** Public Works Director Michael Mann

**Attachments:** [AIS WOB Infrastructure Oversizing](#)  
[WOB Oversizing Drawing - Exhibit 1 of 2](#)  
[WOB Oversizing Cost Estimates - Exhibit 2 of 2](#)  
[2015-R102 Oversizing Woods of Boerne Utility Infrastructure](#)

17.     [2015-205](#)           CONSIDER ON SECOND READING ORDINANCE NO. 2015-32; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY (11.65 Acres Located At 125, 127, 129 And 131 Old San Antonio Road - Cloud Business Park, Texas Ten Oaks Storage, LLC & SDG 129 - At The Request Of The City Of Boerne)

**Sponsors:**           Planning & Community Development Director Chris Turk

**Attachments:**       [Old SA annexation Summary](#)  
                          [Att 1 - 125 127 129 131 Old SA location](#)  
                          [Att 2 - petition.summary.cloud](#)  
                          [Att 3 - Letter to property owners](#)  
                          [Att 4 - Annexaton Questions\(blk\)](#)  
                          [Ordinance No. 2015-32](#)

18.     [2015-240](#)           CONSIDER ON FIRST READING ORDINANCE NO. 2015-37; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (.793 acres located on Cascade Caverns Road- a portion of PID 24326- at the request of Preston Streicher)

**Sponsors:**           Planning & Community Development Director Chris Turk

**Attachments:**       [Streicher annex - 1st reading summary](#)  
                          [Att 1 - Streicher location](#)  
                          [Att 2 - Streicher aerial](#)  
                          [Att 3 - Preston survey](#)  
                          [Att 4 - MSP Streicher](#)  
                          [Ordinance No. 2015-37](#)



19. [2015-242](#) RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARING FOR NOVEMBER 10, 2015:  
Proposed use of an automobile gas station in a B-2, Highway Commercial District for 1381 South Main Street (PID: 46995 and 46966), a total of .6008 acres (Murphy Oil USA Inc. #6822)

Sponsors: Planning & Community Development Director Chris Turk

Attachments: [Recommendations summary](#)  
[Att 1 - LOCATION MAP](#)  
[Att 2 - Zoningmap](#)

20. [2015-237](#) EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:  
A. Section 551.071 (1) (a) - Consultation with Attorney and Section 551.072 - Deliberation regarding Real Property.  
B. Section 551.074 - Personnel Matters: City Attorney's Annual Performance Evaluation.

Sponsors: Jeff Thompson

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

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

23. ADJOURNMENT

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s/s Ronald C. Bowman  
City Manager

#### CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 9th day of October at 5:00 p.m.

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s/s Melissa Grace  
Deputy City Secretary

#### NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The Police / Municipal Court Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.