

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**November 24, 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.

4A. [2015-329](#) Approval Of Minutes Of November 10, 2015 (Regular).

**Attachments:** [MINUTES 15.1110](#)

4B. [2015-324](#) CONSIDER ON SECOND READING ORDINANCE NO. 2015-40; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF AN AUTOMOBILE GAS STATION IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1381 SOUTH MAIN STREET. (PID: 46995 AND 46966), A TOTAL OF .6008 ACRES (MURPHY OIL USA INC. #6822)

**Attachments:**    [Summary - 2nd reading](#)  
                          [Att 1 - LOCATION MAP](#)  
                          [Att 2 - Zoningmap](#)  
                          [Att 3 - current pic](#)  
                          [Att 4 - Use letter request](#)  
                          [Att 5 - Site](#)  
                          [Att 6 - Elevation to PZ](#)  
                          [Att 7 - landscape plan](#)  
                          [Att 8 - Elevation revised](#)  
                          [2015-40](#)

- 4C.    [2015-298](#)        CONSIDER ON SECOND READING ORDINANCE NO. 2015-42; AN ORDINANCE AMENDING ORDINANCE NO. 2014-35 CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2014-2015, BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015."

**Attachments:**    [Budget Amendments AIS - Sept 2015](#)  
                          [2015-42](#)  
                          [September 2015 Budget Amendments](#)

- 4D.    [2015-331](#)        ACCEPTANCE OF STATE ASSET FORFEITURE REPORT FOR THE BOERNE POLICE DEPARTMENT.

**Attachments:**    [AIS Seized funds state](#)  
                          [Equitable Sharing](#)

- 4E.    [2015-330](#)        ACCEPTANCE OF FEDERAL EQUITABLE SHARING AGREEMENT FOR THE BOERNE POLICE DEPARTMENT.

**Attachments:**    [Seized funds federal](#)  
                          [Seized funds \(Federal\) 2014-15 Report](#)

5.      [2015-284](#)        CONSIDER ON SECOND READING ORDINANCE NO. 2015-41; AN ORDINANCE PROHIBITING THE USE OF A PORTABLE ELECTRONIC DEVICE WHILE OPERATING A MOTOR VEHICLE AND CREATING AN OFFENSE AND PROVIDING FOR A FINE OF UP TO \$200.00 PER VIOLATION.

**Attachments:**    [AIS Prohibiting Portable Electronic Devices while Driving 2d](#)  
                          [2015-41](#)

6.     [2015-326](#)     CONSIDER ON FIRST READING ORDINANCE NO. 2015-43; AN ORDINANCE OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 22, UTILITIES, AMENDING ARTICLE II. WATER SYSTEM, SEC. 22-41. PROHIBITING USES OF WATER - YEAR ROUND RESTRICTIONS; SEC. 22-51. GENERALLY; SEC. 22-52. WATER SOURCES; SEC. 22-53. EMERGENCY ACTION BY CITY MANAGER; SEC. 22-54. APPLICATION; SEC. 22-55. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES (EXCEPT WHEN A CRITICAL WATER SHORTAGE EXISTS; SEC. 22.56. DROUGHT RESPONSE STAGES; (A) STAGE I; (B) STAGE II; (C) STAGE III; (D) STAGE IV; SEC.22.57. DESIGNATED OURTSIDE WATER USE DAYS; SEC22-59. ENFORCEMENT; AND ESTABLISHING A PENALTY NOT TO EXCEED \$1,000 FOR VIOLATIONS OF THE ORDINANCE.

**Attachments:**     [AIS Drought Management Plan](#)  
                          [2015-43 Drought Mngt Ord Revisions Redlined](#)

7.     [2015-323](#)     CONSIDER ON FIRST READING ORDINANCE NO. 2015-44; 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 (3.915 Acres Located At 35 Cascade Caverns Road- Kad 12245- At The Request Of Currey Creek Baptist Church Of Boerne).

**Attachments:**     [AIS Currey Creek - 1st reading](#)  
                          [Ordinance No. 2015-44](#)  
                          [Att 1 - 35 Cascade Cavern Rd - location](#)  
                          [Att 2 - Currey.Aerial](#)

8.     [2015-327](#)     CONSIDER RESOLUTION NO. 2015-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT FOR OVERSIZING THE WATER AND GAS MAIN TO SERVE THE WOODS OF BOERNE PROPERTY.

**Attachments:**    [AIS Woods of Boerne Oversizing 2.doc](#)  
[2015-R116 Oversizing Woods of Boerne Water & Gas Main](#)  
[Woods of Boerne Oversizing Contract.pdf](#)  
[Woods of Boerne Oversizing Map.pdf](#)

9.     [2015-332](#)     CONSIDER RESOLUTION NO. 2015-R117; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT WITH KENDALL COUNTY FOR HOUSING EMS. (Interlocal Agreement for the temporary housing of Kendall County EMS during construction of new EMS building.)

**Attachments:**    [AIS](#)  
[2015-R117 Interlocal EMS](#)  
[Fire Station Joint Use Interlocal RL.docx](#)

10.    [2015-325](#)     CONSIDER RESOLUTION NO. 2015-R118; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT WITH KENDALL COUNTY FOR HEALTH SANITARIAN SERVICES. (Annual Agreement For Health Inspection Services.)

**Attachments:**    [AIS Sanitarian](#)  
[Ordinance No. 2015-R118 Sanitarian Svcs](#)  
[INT K - COB - SANITARIAN - 2015-2016 Apprvd Budget Amt](#)  
[COUNTY PROPOSED EXHIBIT A TO SANITARIAN AGREEMENT](#)

11.    [2015-328](#)     RECEIVE AND ACCEPT 2070 WATER PLAN.

**Attachments:**    [AIS Water 2070 Plan.doc](#)  
[Boerne Water 2070 Plan - Final.pdf](#)

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

13.    [2015-334](#)     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 551.086: Municipal Owned Utility - Competitive Matter- Wholesale Power - Electric

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

- 14A.** [2015-336](#) CONSIDER RESOLUTION NO. 2015-R119 - A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE ACQUISITION IN FEE SIMPLE OF A TRACT OF LAND GENERALLY DEPICTED IN EXHIBIT "A," WHICH IS ATTACHED HERETO AND IS INCORPORATED HEREIN FOR ALL PURPOSES, AS PART OF THE MAIN STREET / HERFF ROAD TO CHRISTUS PARKWAY CONNECTOR PROJECT. SUCH ACQUISITION IS NECESSARY TO ADVANCE AND ACHIEVE THE PUBLIC PURPOSE OF INTERCONNECTIVITY FOR ACCESS TO AND FROM THE IH 10 FRONTAGE ROAD, IH 10 WEST AND EAST, MAIN STREET AND HERFF ROAD, AND BY PROVIDING FOR SAFE AND EFFICIENT MOBILITY FOR THE PUBLIC, EMERGENCY VEHICLES, LAW ENFORCEMENT VEHICLES, AND CITY SUPPORT PERSONNEL AND IS IN THE BEST INTEREST OF THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC. THIS RESOLUTION AUTHORIZES THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE THE NECESSARY LAND RIGHTS TO THE EXTENT NEGOTIATIONS ARE UNSUCCESSFUL.

**Attachments:** [Resolution No. 2015-R119](#)

15. 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 20th day of  
November, 2015 at 4 p.m.**

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s/s Lori Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

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