

AGENDA
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
January 12, 2016 – 5:00 p.m.

1. CALL TO ORDER – 5:00 PM

2. WORKSHOP DISCUSSION:

- 2A.** [2016-401](#) A. Discussion On Effectiveness Of Ordinance 2015-38 Amending Chapter 12, Motor Vehicles And Traffic And Allowing The Operation Of Golf Carts In The City On Certain Public Streets During The Holiday Season.

Attachments: [AIS Blank Golf Cart Ordinance Review](#)
[Golf Cart Ordinance](#)

3. ADJOURNMENT

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
January 12, 2016 – 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. [2016-385](#) Approval Of Minutes Of The Regular City Council Meeting Of December 15, 2015.

Attachments: [MINUTES 15.1215](#)

- 4B. [2015-372](#) Consider On Second Reading Ordinance No. 2015-46; An Ordinance Repealing And Replacing The Code Of Ordinances, City Of Boerne, Texas, By Amending Chapter 16 Parks And Recreation; And Providing For A Penalty Of Not More Than \$200 For Violation Of Any Provision Of This Ordinance.

Attachments: [AIS Dec. 15, 2015 Parks Ordinance](#)
[Ordinance 2015-46](#)

- 4C. [2015-383](#) Consider Resolution No. 2016-R01; A Resolution Authorizing The Closure Of A Portion Of Main Street (Hwy 87) During Certain Hours For The Texas Corvette Association Show And Authorizing The Mayor To Execute An Agreement For The Temporary Closure Of State Right-Of-Way With The Texas Department Of Transportation.

Attachments: [AIS-Corvette Club Road Closure 2016](#)
[2016-R01 Corvette Show](#)
[Corvette Detour 2016](#)

- 4D. [2016-384](#) Consider Resolution No. 2016-R02; A Resolution Authorizing The City Manager To Enter Into And Manage An Agreement With McCoy Through The Lower Colorado River Authority For Tree Trimming Services.

Attachments: [AIS LCRA Tree Trimming 2016-1](#)
[2016-R02 McCoy, LCRA Tree Trimming Services](#)
[LCRA Tree Trimming Contract.pdf](#)

- 4E. [2015-371](#) Consider Resolution No. 2016-R03; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section

6.08 Of The City Of Boerne's Home Rule Charter. (14 Automated External Defibrillators (AED).

Attachments: [AIS AED](#)
[2016-R03 Purchase 14 AED](#)
[BFMF.pdf](#)

- 4F. [2016-395](#) Consider Resolution No. 2016-R04; A Resolution Authorizing The City Manager To Enter Into And Manage A Professional Services Agreement With DaHill For Printer Maintenance.

Attachments: [Dahill](#)
[Dahill Proposal](#)
[2016-R04 Agreeem. Dahill printer maint.](#)

- 4G. [2015-379](#) Consider Resolution No. 2016-R05; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne's Home Rule Charter. (Electric Purchase For Menger Springs Unit G2)

Attachments: [AIS Menger Springs G2 Electric Materials.doc](#)
[2016-R05 Electric Purchase-Menger Sprgs Unit G2](#)

PUBLIC HEARING – To Hear Comments On The Following:

- 5A. [2015-289](#) Proposed Permanent Zoning Of 3.895 Acres Located At 137 Old San Antonio Road From R-A, Single Family Rural Residential-Agricultural District To R-2, Moderate-Density Residential District, KAD No. 41140, 46196, and 290279. (Patricia Long)

Attachments: [Public hearing summary](#)
[Att 1 - 137 Old San Antonio location](#)
[Public Hearing - 16.0112 Zoning](#)

- 5B. [2015-286](#) Proposed Use Of A Trailer Court In A B-2, Highway Commercial District For 48 and 48A Old San Antonio Road (KAD: 39194 and 39193), A Total Of 5.378 Acres. (Roy Faz)

Attachments: [Public hearing summary](#)
[Att 1 - LOCATION MAP](#)
[Public Hearing - 16.0112 Zoning](#)

- 5C. [2015-287](#) Proposed Application Of An Entrance Corridor Overlay District To 48 And 48A Old San Antonio Road (KAD: 39194 and 39193).

(Roy Faz)

Attachments: [Public hearing summary](#)
[Att 1 - LOCATION MAP](#)
[Public Hearing - 16.0112 Zoning](#)

- 5D. [2016-396](#) Proposed Annexation Of 10.598 Acres Located At 38 Cascade Caverns Road At The Request Of Hill Country Daily Bread. (First Of Two Hearings)

Attachments: [Summary Daily Bread](#)
[Annexation Petition HCDB](#)
[Att 1 - 38 Cascade Cvrns loc 15-1209 asd](#)
[Att 2 - aerial](#)
[Public Hearing - 16.0112 Annexation - 38 Cascade Caverns, Old San Antor](#)

- 5E. [2016-397](#) Proposed Annexation Of 3.537 Acres Of Land Being Part of Old San Antonio Road And Part Of Herff Road At The Request Of Judge Lux For Kendall County. (First of Two Hearings)

Attachments: [Summary Old SA - Herff Rd annex](#)
[Annexation Petition Adler & Herff Rd](#)
[Att 1 - county survey Old SA - Herff](#)
[Att 2 - Herrf road Old SA Annexation](#)
[Public Hearing - 16.0112 Annexation - 38 Cascade Caverns, Old San Antor](#)

- 5F. [2015-322](#) Proposed Permanent Zoning Of 1 Acre Located At 125 Old San Antonio Road And 1 Acre Located At 127 Old San Antonio Rd From R-A, Single Family Rural Residential- Agricultural District To I, Industrial District, KAD No. 62674 and 62675. (Wiley And Kathy Cloud)

Attachments: [Public hearing summary](#)
[Att 1 - Summary 2](#)
[Public Hearing - 16.0112 Zoning](#)

- 5G. [2015-317](#) Proposed Permanent Zoning Of 1 Acre Located At 129 Old San Antonio Road From R-A, Single Family Rural Residential- Agricultural District To I, Industrial District, KAD No. 62676. (SDG 129 LLC)

Attachments: [Public hearing summary](#)
 [Att 1 - location map](#)
 [Public Hearing - 16.0112 Zoning](#)

- 5H. [2015-313](#) Proposed Permanent Zoning Of 6.41 Acres Located At 131 Old San Antonio Road From R-A, Single Family Rural Residential-Agricultural District To I, Industrial District, KAD No. 48169 and 152323. (Texas Ten Oaks Storage LLC) and KAD No. 17387 (Thomas Drought Trustee).

Attachments: [Public hearing summary](#)
 [Att 1 - Location](#)
 [Public Hearing - 16.0112 Zoning](#)

6. TAKE ANY NECESSARY ACTION RESULTING FROM PUBLIC HEARING:

- 6A. [2016-408](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-01; 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 13, PERMANENT ZONING OF 3.895 ACRES LOCATED AT 137 OLD SAN ANTONIO ROAD (KAD NOS. 41140, 46196, AND 290279) FROM R-A, SINGLE FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Patricia Long)

Attachments: [Summary](#)
 [Ordinance No. 2016-01](#)
 [Att 1 - 137 Old San Antonio location](#)
 [Att 2 - 137 Old SA - zoning](#)
 [Att 3 - aerial](#)

- 6B. [2016-409](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-02; 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 A TRAILER COURT IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 48 AND 48A

OLD SAN ANTONIO ROAD. (KAD 39194 and 39193), a total of 5.378 acres (Roy Faz)

Attachments:

[Summary](#)

[Ordinance No. 2016-02](#)

[Att 1 - LOCATION MAP](#)

[Att 2- Aerial](#)

[Att 3 - Site Plan Faz 48 and 48A Old San Antonio 11.17.15](#)

- 6C. [2016-410](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-03; AN ORDINANCE AMENDING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 5, SECTION 25, APPLYING AN ENTRANCE CORRIDOR OVERLAY DISTRICT DESIGNATION TO 5.378 ACRES LOCATED AT 48 AND 48A OLD SAN ANTONIO ROAD (KAD: 39194 AND 39193); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Roy Faz)

Attachments:

[Summary entrance corridor faz](#)

[Ordinance No. 2016-03](#)

[Att 1 - LOCATION MAP](#)

[Att 2- Aerial](#)

[Att 3 - ECOD map](#)

- 6D. [2016-405](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-04; 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 13, PERMANENT ZONING OF 1 ACRE LOCATED AT 125 OLD SAN ANTONIO ROAD AND 1 ACRE LOCATED AT 127 OLD SAN ANTONIO ROAD (KAD 62674 AND 62675) FROM R-A, SINGLE FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO I, INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Wiley and Kathy Cloud)

Attachments: [1st reading - Summary 1](#)
 [Ordinance No. 2016-04](#)
 [Att 1](#)
 [Att 2](#)
 [Att 3](#)
 [Att 4](#)
 [Att 5](#)
 [Att 6](#)
 [Att 7](#)

- 6E. [2016-406](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-05; 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 13, PERMANENT ZONING OF 1 ACRE LOCATED AT 129 OLD SAN ANTONIO ROAD (KAD NO. 48169, 15232 AND 17387) FROM R-A, SINGLE FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO I, INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (SDG 129 LLC)

Attachments: [Summary](#)
 [Ordinance No. 2016-05](#)
 [Att 1 - location map](#)
 [Att 2 - 129 Old SA - zoning](#)
 [Att 3 - aerial](#)

- 6F. [2016-407](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-06; 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 13, PERMANENT ZONING OF 6.41 ACRES LOCATED AT 131 OLD SAN ANTONIO ROAD (KAD NOS. 48169, 152323 AND 17387) FROM R-A, SINGLE FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO I, INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Texas Ten Oaks Storage and Thomas Drought

Trustee)

Attachments:

[Summary](#)

[Ordinance No. 2016-06](#)

[Att 1 - Location](#)

[131 Old SA - zoning map](#)

[Att 3 - aerial](#)

7. [2016-411](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-07; AN ORDINANCE ESTABLISHING ONE WAY TRAFFIC SOUTHBOUND ON CITY PARK ROAD FROM STATE HIGHWAY 46 (SH-46) APPROXIMATELY 550 FEET SOUTHWARD TO THE CITY PARK DRIVEWAY ENTRANCE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200.

Attachments:

[AIS City Park Road One way.doc](#)

[Ordinance No. 2016-07](#)

[ONE WAY City PArk Road.pdf](#)

8. [2016-413](#) CONSIDER A ONE-TIME READING OF ORDINANCE 2016-08; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

9. [2016-398](#) CONSIDER ORDINANCE NO. 2016-08; 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 - September 2015](#)

[Ordinance No. 2016-08](#)

[Sept 2015 Budget Amendments](#)

10. [2016-399](#) CONSIDER RESOLUTION NO. 2016-R06; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS BY THE CITY OF BOERNE IN AN AMOUNT NOT TO EXCEED \$3,412,082 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM - BOERNE TRAILS EXPANSION PROJECT

Attachments: [AIS.TAP.Project.Funding](#)
[2016-R06 TxDot fund trails expansion](#)
[2015.TAP.nomination.form](#)
[2015.TAP.project.maps](#)
[TAP.2015.city.costs.05.04.15](#)
[2015.TAP.proposed.funding.sources](#)

11. [2016-402](#) CONSIDER RESOLUTION NO. 2016-R07; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LOCAL PROJECT ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR DIRECT AND INDIRECT STATE COSTS NOT TO EXCEED \$77,128 INCURRED FOR PROJECT REVIEW, INSPECTION, ADMINISTRATION, AND OVERSIGHT OF 2015 TRANSPORTATION ALTERNATIVES PROGRAM - BOERNE TRAILS EXPANSION PROJECT.

Attachments: [AIS TxDOT](#)
[10-30-2015 DRAFT AFA CHANGE ACCEPT CSJ 0915-11-950](#)

12. [2016-392](#) CONSIDER RESOLUTION NO. 2016-R08; A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 7, 2016. (Considerar la resolución número 2016-R08; una resolución que establece los procedimientos para las elecciones generales del 7 de Mayo, 2016 en Boerne, Texas)

Attachments: [AIS election](#)
[ELECTION CALENDAR.may.2016](#)
[2016-R08 Election procedures](#)

13. [2016-403](#) CONSIDER RESOLUTION NO. 2016-R09; A RESOLUTION OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF BOERNE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF BOERNE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE ALAMO AREA COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

Attachments: [HHW-AACOG Grant Application-1-12-16](#)
[2016-R09 AACOG Solid Waste Grant](#)

14. [2016-400](#) RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARING FOR FEBRUARY 9, 2016:
- A. Proposed Use Of A Retirement Community In A R-2, Moderate-Density Residential District And R-3, High-Density Residential District For 20 Old San Antonio Road, A Total Of 5.609 Acres, Fronting East Bandera Road, KAD No. 39338. (Franklin Development Properties for Bruce Calder, Owner)

Attachments: [Summary](#)
[Att 1 - location](#)

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

16. [2016-404](#) EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
- A. Section 551.087 - Deliberation Regarding Economic Development Negotiations: Consideration Of Offer Of Financial Incentives To A Commercial Entity Considering Development And Expansion Within The City Limits And Section 551.071 (2) - Consultation With Attorney.
- B. Section 551.087 - Deliberation Regarding Economic Development Negotiations: Consideration of Offer Of Financial Incentives To A Commercial Entity Considering Development Within The City Limits.

- 17 [2016-415](#) RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.
- A. CONSIDER RESOLUTION NO. 2016-R10; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH _____.

Attachments: [2016-R10 Financial Incentives](#)

ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 8th day of
January, 2016 at 5 p.m.**

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

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

PURSUANT TO SECTION 30.07 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.

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.