

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
January 26, 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. [2016-422](#) Approval of The Regular City Council Meeting Minutes of
January 12, 2016.

Attachments: [MINUTES 16.0112](#)

- 4B. [2016-408](#) Consider On Second 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 - 2nd reading](#)

[Att 1 - 137 Old San Antonio location](#)

[Att 2 - 137 Old SA - zoning](#)

[Att 3 - aerial](#)

[Ordinance No. 2016-01](#)

4C. [2016-405](#)

Consider On Second 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 B-2R, Highway Commercial-Restricted District; Repealing All Ordinances In Conflict; Containing A Severance Clause; And Declaring An Effective Date. (Wiley And Kathy Cloud)

Attachments:

[2nd reading](#)

[Ordinance No. 2016-04](#)

[Att 1](#)

[Att 2](#)

[Att 3](#)

[Att 4](#)

[Att 5](#)

[Att 6](#)

[Att 7](#)

4D. [2016-406](#)

Consider On Second 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 B-2R, Highway Commercial-Restricted District; Repealing All Ordinances In Conflict; Containing A Severance Clause; And Declaring An Effective Date. (SDG 129 LLC and Alamo Gage)

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

- 4E. [2016-407](#) Consider On Second 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 B-2R, Highway Commercial-Restricted 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 - 2nd reading](#)
[Ordinance No. 2016-06](#)
[Att 1 - Location](#)
[131 Old SA - zoning map](#)
[Att 3 - aerial](#)

- 4F. [2016-411](#) Consider On Second 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](#)

5. PUBLIC HEARING – To Hear Comments On The Following:

- 5A. [2016-427](#) Proposed Annexation Of 10.598 Acres Located At 38 Cascade Caverns Road At The Request Of Hill Country Daily Bread.
(Second Of Two Hearings)

Attachments: [Summary Daily Bread 2nd of two public hearings](#)
[Att 1 - 38 Cascade Cvrns loc 15-1209 asd](#)
[Att 2 - aerial](#)
[Public Hearing - 16.0126 Annexation - 38 Cascade Caverns, Old San Antor](#)
[Annexation Petition HCDB](#)

- 5B. [2016-426](#) 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. (Second Of Two Hearings)

Attachments: [Summary Old SA - Herff Rd annex - 2nd public hearing](#)
[Att 1 - county survey Old SA - Herff](#)
[Att 2 - Herrf road Old SA Annexation](#)
[Public Hearing - 16.0126 Annexation - 38 Cascade Caverns, Old San Antor](#)
[Annexation Petition Adler & Herff Rd](#)

6. [2016-424](#) RECEIVE FIRST QUARTER FINANCIAL/INVESTMENT REPORTS FOR FY 2015/2016.

Attachments: [Quarterly Financial AIS](#)
[Dec 2015 Qtrly Report](#)

7. [2016-433](#) RECEIVE QUARTERLY UPDATE FROM BOERNE KENDALL COUNTY EDC PRESIDENT AND CEO, MISTY MAYO.

Attachments: [AIS.BKCEDC Quarterly Update](#)
[BKCEDC City Report Q1 FY 2016](#)
[Boerne - Infographic EMAIL](#)

8. [2016-432](#) CONSIDER THE UNTABLING OF ORDINANCE NO. 2015-45 AS DESCRIBED BELOW (Tabled on 12/15/2015)

9. [2015-373](#) CONSIDER ON FIRST READING ORDINANCE NO. 2015-45; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36; ARTICLE III, MECHANICAL CODE, SECTIONS 5-61; ARTICLE IV, GAS, SECTION 5-86; ARTICLE V, PLUMBING, SECTIONS 5-111; ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136; ARTICLE VII, ELECTRICAL CODE, SECTION 5-232; AND ARTICLE X, HOUSING CODE, SECTION 5-266.

Attachments: [2016.01.21..building.Code.Update Ordinance \(2\)](#)
[Ordinance No. 2015-45](#)

10. [2016-409](#) CONSIDER ON SECOND 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 - 2nd reading](#)
[Ordinance No. 2016-02](#)
[Att 1 - LOCATION MAP](#)
[Att 2- Aerial](#)
[Att 3 - letter of request for use for cc](#)
[Att 3 - Site Plan Faz 48 and 48A Old San Antonio 11.17.15](#)
[Att 4 - Site Plan Faz 48 and 48A Old San Antonio 11.17.15](#)

11. [2016-410](#) CONSIDER ON SECOND 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 - 2nd reading](#)
[Ordinance No. 2016-03](#)
[Att 1 - LOCATION MAP](#)
[Att 2- Aerial](#)
[Att 3 - ECOD map](#)

12. [2016-423](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-09; AN ORDINANCE AMENDING ORDINANCE NO. 2015-23 CAPTIONED "ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE

CHARGED FOR RECLAIMED WATER SERVICES PROVIDED BY THE CITY OF BOERNE UTILITIES.”

Attachments: [AIS Reclaimed \(Reuse\) Water Rate Amendments - 1-26-16 Ordinance No. 2016-09](#)

13. [2016-431](#) CONSIDER RESOLUTION NO. 2016-R11; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A THIRD AMENDED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BOERNE AND LOOKOUT BOERNE HOLDINGS, LP., KENDALL COUNTY WATER CONTROL DISTRICT NO. 2 AND KENDALL COUNTY WATER CONTROL DISTRICT NO. 2-A.

Attachments: [AIS Esperanza 3rd Amendment](#)
[2016-R11 Amended Dev. Agreement Lookout Holdings, KCWCD No. 2 and Summary of Third Amendment JP](#)
[Third Amendment to DA w highlight for CC](#)
[Exhibit D-2A 10-19-15 \(Exhibits to 3rd Amendment to DA\)](#)
[Exhibits D-3 D-5 D-6 D-8 D-9 D-14 rev January 2016](#)
[Exhibit G to 3rd Amendment](#)

14. [2016-425](#) CONSIDER RESOLUTION NO. 2016-R12; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE’S HOME RULE CHARTER. (Co-op Advertising with San Antonio Convention and Visitors Bureau)

Attachments: [AIS SA & Boerne CVB Coop 01-26-16](#)
[2016-R12 Co-op Advertising with SA CVB](#)
[SACVB-TX Hill Country 2015-2016 Summary Points](#)
[PR TOURISM SATXHC PR 2015 Efforts and 2016 Proposed \(2\)](#)
[SACVB Hill Country FY16 Intl Outreach Reco](#)

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

ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 22nd day of
January, 2016 at 4:00 p.m.**

s/s Siria Arreola
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.**

**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.**