

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
February 23, 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. [2016-478](#) Approval of The Special Called City Council Meeting Minutes of January 28, 2016 (Longhorn Café) and The Regular City Council Meeting Minutes of February 9, 2016.

Attachments: [Minutes.16.0128 Special Called](#)
 [minutes.16.0209](#)

- 4B. [2016-475](#) Consider On Second Reading Ordinance No. 2016-10; 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 Retirement Community In A R-2, Moderate-Density Residential District And R-3, High-Density Residential District Located At 20

Old San Antonio Road Fronting East Bandera Road. (KAD: 39338), A Total Of 5.609 Acres. (Franklin Development Properties For Bruce Calder, Owner)

Attachments:

[Summary - 2nd reading](#)

[Ordinance No. 2016-10](#)

[Att 1 - location](#)

[Att 2 - 20 Old SA - location fronting E Bandera](#)

[Att 3 - aerialmapsforsignsfranklin2](#)

[Att 4b - Site plan 1](#)

[Att 5 - 1 story front elevation - 12.14.15](#)

[Att 6 - 3 story front elevation - 12.14.15](#)

- 4C. [2016-474](#) Consider On Second Reading Ordinance No. 2016-11; 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. (10.598 Acres Located At 38 Cascade Caverns Road- KAD - At The Request Of Hill Country Daily Bread)

Attachments:

[Summary Daily Bread 2nd reading](#)

[Ordinance No. 2016-11](#)

[Att 1 - 38 Cascade Cvrns loc 15-1209 asd](#)

[Att 2 - aerial](#)

- 4D. [2016-473](#) Consider On Second Reading Ordinance No. 2016-12; 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. (3.537 Acres Of Land Being Part Of Old San Antonio Road And Part Of Herff Road - At The Request Of Judge Lux For Kendall County)

Attachments: [Summary Old SA - Herff Rd annex - 2nd reading](#)
[Ordinance No. 2016-12](#)
[Att 1 - county survey Old SA - Herff](#)
[Att 2 - Herrf road Old SA Annexation](#)

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

- 5A. [2016-472](#) Proposed Annexation Of 0.670 Of One Acre Tract Of Land
Located In The Antonio Cruz Survey No. 170, Abstract No. 97,
Kendall County, Texas, Being A Portion Of Scenic Loop Road
Right-Of-Way, At The Request Of City Of Boerne. (First Of Two
Hearings)

Attachments: [Summary - scenic loop 1 of 2 public hearing \(003\) revised](#)
[Public Hearing - 16.0223 Annexation- Scenic Loop & Upper Balcones](#)
[Att 1 - Scenic Loop Road Field Notes](#)
[Att 2 - Scenic Loop Layout1 \(1\)](#)
[Att 3 - Aerial](#)

- 5B. [2016-471](#) Proposed Annexation Of 0.464 Of One Acre Tract Of Land
Located In The John Small Survey No. 183, Abstract No. 441,
Kendall County, Texas, Being A Portion Of Upper Balcones Road
Right-Of-Way, At The Request Of City Of Boerne. (First Of Two
Hearings)

Attachments: [Talley Upper Balcones annexation AIS](#)
[Public Hearing - 16.0223 Annexation- Scenic Loop & Upper Balcones](#)
[Att 1 - Upper Balcones Road Field Notes](#)
[Att 2 - Upper Balcones Layout1 \(1\)](#)
[Att 3 - Aerial](#)

6. [2016-484](#) RECEIVE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2015
ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL
PROFILING.

Attachments: [AIS annual report 2015](#)
[Annual Report 2015_Final](#)

7. [2016-470](#) RECEIVE AND CONSIDER A REQUEST FROM ALEJANDRO
GUTIERREZ FOR A VARIANCE TO THE SIGN ORDINANCE
SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. Z.
REALTY SIGNS. (Seven Oaks Office Complex 138 Old San

Antonio Road.)

Attachments: [Summary - seven oaks sign variance](#)
 [Att 1 - location](#)
 [Att 2 - Sign variance- Alejandro Gutierrez](#)

8. [2016-479](#) GVTC GIGAREGION UPDATE.

Attachments: [AIS GVTC Gigaregion Update 022316](#)
 [Gigaregion slides 2-2016](#)

9. [2016-485](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-13; AN ORDINANCE AMENDING CHAPTER 12, ARTICLE V, OF THE CODE OF ORDINANCES BY AMENDING SECTION 12-130, DEFINITIONS; SECTION 12-143 HOUSE TRAILERS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR THE VIOLATION THEREOF.

Attachments: [AIS trailer](#)
 [Ordinance No. 2016-13](#)

10. [2016-447](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-14; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS, ARTICLE VIII, LIFE & SAFETY CODE, SECTION 5-236; AND CHAPTER 8, ARTICLE II, FIRE PREVENTION CODE, SECTION 8-36.

Attachments: [AIS 2009 IFC.doc](#)
 [Ordinance No. 2016-14](#)

11. [2016-486](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2016-15; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

12. [2016-487](#) CONSIDER ORDINANCE NO. 2016-15; AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF BOERNE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL

STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN OFFICIAL BID FORM, AND AN ESCROW AND TRUST AGREEMENT; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY COUNCIL AND CITY STAFF TO APPROVE AND EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Proposed debt refunding, Series 2016](#)
[Ordinance No. 2016-15](#)
[City of Boerne Refunding Presentation, Series 2016](#)

13. [2016-455](#) CONSIDER RESOLUTION NO. 2016-R24; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS BY THE CITY OF BOERNE IN AN AMOUNT NOT TO EXCEED \$54,941.60 FOR THE PURCHASE OF AN AVATAR III ROBOT AND ACCESSORIES WITH HOMELAND SECURITY GRANT FUNDS AWARDED IN THE 2015 GRANT CYCLE.

Attachments: [AIS Avatar Robot](#)
[2016-R24 Purchase Avatar III](#)
[Avatar III Brochure.pdf](#)
[Quote Boerne Police Department TX 02 08 2016.pdf](#)

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

15 ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 19th day of
February, 2016 at 3:00 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.