

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 22, 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.

- A. [2016-1064](#) APPROVAL OF MINUTES OF THE NOVEMBER 8, 2016 REGULAR CITY COUNCIL MEETING.

Attachments: [Minutes 16.1108](#)

- B. [2016-1043](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-44; 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 AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 146 OLD SAN ANTONIO ROAD AND 32120 INTERSTATE 10 (KAD NO. 22678 AND 22676). (6.028 Acres, Continental Cars)

Attachments: [Summary](#)
 [Ordinance 2016-44](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - Aerial](#)
 [Att 3 - Zoning Map](#)
 [Att 4 - New Site Plan](#)
 [Att 5 - letter of use request](#)
 [Att 5 - Site Plan Elevations](#)
 [Att 6 - Tree Survey](#)
 [Att 7 - B-2 Uses](#)
 [Att 8 - Stoneply Brochure](#)
 [Att 9 - Stoneply Case Study](#)

- C. [2016-1055](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-46; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 15 - 65 RESTRICTIONS APPLICABLE TO ALL PEDDLERS, SOLICITORS AND VENDORS; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.

Attachments: [AIS CC Correction to Peddlers Solicitors and Vendors Ord.](#)
 [Ordinance 2016-46](#)
 [Excerpt from the minutes](#)

- D. [2016-1037](#) CONSIDER RESOLUTION NO. 2016-R121; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (3 Vehicles for Police Department)

Attachments: [AIS vehicles 2016-2017 Police Vehicles \(3\)](#)
 [2016-R121 purchase 3 vehicles for PD](#)

- E. [2016-1056](#) CONSIDER RESOLUTION NO. 2016-R122; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Liftstation Pump for Wastewater Treatment Recycling Center)

Attachments: [AIS WWTRC Lift Station Pump.doc](#)
 [2016-R122 liftstation pump for WWTRC](#)
 [Flygt Pump Drawing.jpg](#)

- F. [2016-1060](#) ACCEPTANCE OF STATE ASSET FOREFEITURE REPORT FOR THE BOERNE POLICE DEPARTMENT.

Attachments: [AIS Seized Funds State \(FY15-16\)](#)
[Seized Funds State \(FY 15-16\)](#)

- G. [2016-1058](#) ACCEPTANCE OF FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR THE BOERNE POLICE DEPARTMENT.

Attachments: [AIS Seized Funds Federal\(FY15-16\)](#)
[Seized Funds Federal \(FY 15-16\)](#)

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

- A. [2016-1042](#) PROPOSED ANNEXATION OF 22.558 ACRES OF LAND LOCATED AT 128 AND 214 CASCADE CAVERNS ROAD - KAD NOS. 11567 AND 42662 AT THE REQUEST OF ML&E LANDQUEST CASCADE CAVERNS, LLC. (Southglen Subdivision Phase 1- Second of Two Hearings)

Attachments: [Summary](#)
[Public Hearing 16.1122 annexation 128 and 214 Cascade Caverns & 17 H](#)
[ANNEXATION CALENDAR - 22.558 acres 134 Cascade Caverns Rd](#)
[Municipal Service Plan](#)
[Petition 128 and 218 Cascade Caverns Rd](#)
[LOCATION MAP](#)

- B. [2016-1041](#) PROPOSED ANNEXATION OF 26.582 ACRES OF LAND LOCATED AT 17 HERFF ROAD - KAD NOS. 12536, 15847, 15848, AND 15849 AT THE REQUEST OF JAMES AND DEBORAH ROERIG. (First of Two Hearings)

Attachments: [Summary](#)
[Public Hearing](#)
[ANNEXATION CALENDAR - 26.582 acres 17 Herff Rd](#)
[17 Herff Road - 26.582 acres](#)
[Petition and Survey](#)
[LOCATION MAP](#)
[17 Herff - aerial](#)

6. [2016-1040](#) CONSIDER APPROVAL FOR A THREE STORY STRUCTURE 60' IN HEIGHT, IN A B-2, HIGHWAY COMMERCIAL DISTRICT. (Height Exception From the Zoning Ordinance Article 5. Zoning Districts

and Use Regulations. Section 17. B-2- Highway Commercial District. C. Required Lot and Building Dimensions. 34000 IH 10 W Lot 9, At The Request of Palomar Boerne, LLC)

Attachments:[Summary](#)[Att 1 - 2016.10.26.MOB.Height.letter of request](#)[Att 2 - HB Subdivision Plat-20160425](#)[Att 3 - Site plan](#)[Att 4 - elevation](#)[Att 5 - front elevation](#)[Att 5 - Southbound](#)[Att 6 - Google](#)[Att 7 - Northbound](#)[Att 8 - GoogleEarth Image](#)

7. [2016-1044](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-45; 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 ANY CONTRACTORS IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 110 OLD SAN ANTONIO ROAD. (KAD NO. 41136) (TBRQ, LLC)

Attachments:[Summary](#)[Ordinance 2016-45](#)[Att 1 - LOCATION MAP](#)[Att 2 - Aerial map](#)[Att 3 - 110 Old SA - zoning](#)[Att 4 - 110 Site Plan](#)[Att 5 - Site Plan with 300 ft and 25 ft](#)[Att 6 - letter of request](#)[Att 7 - B-2 Uses](#)[Att 8 - Land Use Plan](#)

8. [2016-1065](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-47; AN ORDINANCE AMENDING ORDINANCE NO. 2014-21, AUTHORIZING THE INSTALLATION OF STOP SIGNS, ESTABLISHING SPEED LIMITS AND DESIGNATING NO PARKING AREAS IN CHAMPION HEIGHTS SUBDIVISION PHASE 2 AND 3;

AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE.

Attachments: [AIS Champion Heights Traffic Control 2.doc](#)
[Ordinance 2016-47](#)
[Champion Hts Speed & Parking Aerial.pdf](#)

9. [2016-1039](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-48; 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. (21.688 Acres located at 1700 River Road at the request of the City of Boerne, Property Owner Shirley Rittimann)

Attachments: [Summary](#)
[Ordinance 2016-48](#)
[LOCATION MAP](#)

10. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR DECEMBER 13, 2016:

- A. [2016-1068](#) PROPOSED APPLICATION OF AN ENTRANCE CORRIDOR OVERLAY DISTRICT TO 44 AND 46 OLD SAN ANTONIO ROAD, KAD NOS: 42070, 15863, 14796, AND 42069. (Howell R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III)

Attachments: [Summary](#)
[Att 1 - LOCATION MAP](#)
[Att 2- Aerial](#)

- B. [2016-1069](#) PROPOSED REZONING OF 119 EBNER STREET, A TOTAL OF 1.179 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 18954. (Groff Land Enterprises LP)

Attachments: [Summary](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - Aerial Map](#)

- C. [2016-1070](#) PROPOSED REZONING OF OUTLOT 55 ON EBNER STREET, A TOTAL OF 1.2 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 20071.
(Stan Scott)

Attachments: [Summary](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - Aerial](#)

- D. [2016-1071](#) PROPOSED REZONING OF 303 EBNER STREET, A TOTAL OF 1.235 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 18958. (Pico Propane Operating LLC)

Attachments: [Summary](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - Aerial Map](#)

- E. [2016-1072](#) PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT AT INTERSTATE 10, KAD NO. 22677.
(Bryan Hardeman)

Attachments: [Summary](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - Aerial Map](#)

11. [2016-1063](#) 30 MINUTE RECESS.
12. [2016-1062](#) RECEIVE BRIEFING ON CITY HALL BENCHMARKING TOURS.

Attachments: [AIS CC benchmarking tours](#)

13. [2016-1073](#) DISCUSSION ON POSSIBLE ROADWAY, DRAINAGE, AND SIDEWALK BOND ELECTION.

Attachments: [AIS Possible Bond Election re Roadways Sidewalks Drainage](#)
[Bond ELECTION CALENDAR.may.2017](#)
[Copy of 2017 Road-Drainage-SW Bond \(2\) Revised](#)
[Sidewalks Bond Issue](#)
[BondProjectsExhibit1](#)
[BondProjectsExhibit2](#)
[Potential Bond Debt Issuance](#)

14. [2016-1061](#) DISCUSSION OF GENERAL ELECTION DATES MOVING FROM A
MAY ELECTION TO NOVEMBER ELECTION.

Attachments: [AIS CC Change of General Election Dates](#)
[Change Election Dates att1](#)

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

16. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 18th day of
November, 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 30.06 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.

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.