

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
December 12, 2017 – 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.

- 4.A. [2017-900](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 28, 2017.

Attachments: [Minutes 17.1128](#)

- 4.B. [2017-898](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-85; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS CHAPTER 21. TAXATION, ARTICLE V. HOTEL AND MOTEL OCCUPANCY TAX; PROVIDING A PENALTY NOT TO EXCEED \$500 PER OCCURRENCE.

Attachments: [Hotel Tax Ordinance 11-14-17](#)
[Ordinance No. 2017-85](#)

- 4.C. [2017-901](#) ANNUAL REVIEW TO THE CITY OF BOERNE’S INVESTMENT POLICY AND BROKER-DEALER LIST.

Attachments: [Investment Policy - Review 2017](#)
 [InvstPol,17.18 Final](#)
 [Broker-Dealer List 2017-18](#)

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

- 5.A. [2017-908](#) PROPOSED REZONING OF 17 HERFF ROAD, A TOTAL OF 14.202
OUT OF 26.654 ACRES, FROM MU-1, MIXED-USE
NEIGHBORHOOD DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL
DISTRICT, KAD NOS. 12536, 15848, AND 15849. (CT 17 Herff
Land LP)

Attachments: [Summary 17 Herff](#)
 [Public Hearing Notice](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - ZoningMap-17 Herff](#)
 [Att 3 - MU-1 Uses](#)
 [Att 4 - R-4 Uses](#)

6. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

- 6.A. [2017-909](#) CONSIDER ON FIRST READING ORDINANCE NO. 2017-87; 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 14, REZONING 14.202 OUT
OF 26.654 ACRES LOCATED AT 17 HERFF ROAD (KAD NOS.
12536, 15848, AND 15849) FROM MU-1, MIXED-USE
NEIGHBORHOOD DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL
DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT;
CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN
EFFECTIVE DATE.

Attachments: [Summary 17 Herff](#)
 [Ordinance No. 2017-87](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - aerialmap-17 Herff](#)
 [Att 3 - ZoningMap-17 Herff](#)
 [Att 4 - MU-1 Uses](#)
 [Att 5 - R-4 Uses](#)

7. [2017-921](#) UPDATE ON THE PROPOSED NEW CONVENTION AND VISITORS BUREAU BUILDING PROJECT LOCATED ON LOHMANN STREET.
- Attachments:** [AIS Report 12-12-17](#)
 [Boerne CVB SD Site Plan](#)
 [CVB Exterior Building Plan](#)
 [CVB Floor Plan](#)
 [Timber Truss View 1](#)
 [Timber Truss View 2](#)
8. [2017-917](#) UPDATE ON HILL COUNTRY MILE MARKETING AND ACTIVITIES.
- Attachments:** [CC.AIS.HCM.update.12.12.17](#)
 [CC.HCM.marketing.activities.12.12.17](#)
9. [2017-918](#) UPDATE ON DICKENS ON MAIN.
- Attachments:** [CC.AIS.DOM.update.12.12.17](#)
 [CC Update 12-12-2017 DOM](#)
10. [2017-902](#) UPDATE ON WEIHNACHTS PARADE.
- Attachments:** [CC.AIS.PARADE.update.12.12.17](#)
 [CC.31ST.Weihnachts.Parade.12.12.17](#)
11. [2017-907](#) RECEIVE BIDS AND AWARD CONTRACT FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT CONSTRUCTION MATERIALS OBSERVATION AND TESTING SERVICES AND CONSIDER RESOLUTION NO. 2017-R125; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONSTRUCTION MATERIALS OBSERVATION AND TESTING SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT.
- Attachments:** [CC.AIS.boerne.trail.materials.testing.12.12.17.final](#)
 [2017-R125 2015 TAP materials testing](#)
 [boerne.trails.testing.staff.scoring.matrix](#)
 [boerne.trails.RKCi.final.proposal](#)
12. [2017-899](#) CONSIDER RESOLUTION NO. 2017-R126; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND

MANAGE A STANDARD UTILITY AGREEMENT BETWEEN THE CITY OF BOERNE AND TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR REIMBURSEMENT OF WATER AND WASTEWATER RELOCATIONS ON INTERSTATE HIGHWAY 10.

Attachments: [AIS TxDOT IH10 W WW Reimbursement Contract.doc](#)
[2017-R126 TxDOT reimbursement agmnt](#)
[TxDOT Agreement_half.pdf](#)
[TXDOT IH-10 Utility Relocates.pdf](#)

13. [2017-905](#) CONSIDER RESOLUTION NO. 2017-R127; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE FIRST AMENDED INTERLOCAL AGREEMENT FOR MUTUAL ACCESS TO BIBLIOTHECA CLOUDLIBRARY DIGITAL SERVICES BETWEEN THE CITY OF BOERNE AND A NUMBER OF OTHER CITIES.

Attachments: [AIS Bibliotheca cloudLibrary interlocal agreement 12-14-17](#)
[2017-R127 Interlocal Bibliotheca Coudlibrary](#)
[First Amended FINAL cloudLink Interlocal Agreement Draft](#)
[BLANK SIGNATURE PAGE](#)

14. [2017-910](#) CONSIDER RESOLUTION NO. 2017-R128; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS.
(Wastewater Treatment and Recycling Center, KAD No. 38976, a total of 13.327 acres located at 41 Old San Antonio Rd. and the adjacent right-of-way on Old San Antonio Rd. at the request of the City of Boerne)

Attachments: [Summary](#)
[2017-R128 Annexation 41 Old San Antonio](#)
[Exhibit A](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial](#)

15. [2017-919](#) CONSIDER RESOLUTION NO. 2017-R129; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A GAS MAIN EXTENSION AGREEMENT BETWEEN THE

CITY OF BOERNE, YMCA OF GREATER SAN ANTONIO AND
KENDALL COUNTY.

Attachments: [AIS YMCA Gas Main Extension](#)
[2017-R129 Gas Main Extension](#)
[YMCA Gas Main Attachment 1](#)
[Boerne Gas Line Extension YMCA Total Project Cost 11.22.2017](#)
[YMCA Gas Main Extension Agt v3](#)

16. [2017-922](#) CONSIDER RESOLUTION NO. 2017-R130; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE THE SECOND AMENDMENT TO THE INFRASTRUCTURE
AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE
AND ML&E - LANDQUEST CASCADE CAVERNS, LLC. (Southglen
Subdivision gas extension)

Attachments: [AIS Southglen Amended Infrastructure and DA](#)
[2017-R130 amend ifrastructure and DA](#)
[Second Amendment to Infrastructure and Development Agreement](#)
[Southglen additional acreage](#)

17. [2017-920](#) CONSIDER RESOLUTION NO. 2017-R131; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE THE SECOND AMENDMENT TO THE ANNEXATION AND
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND
ML&E - LANDQUEST CASCADE CAVERNS, LLC. (Southglen
Subdivision)

Attachments: [AIS Southglen Amended Annexation and DA](#)
[2017-R131 amend annexation and DA](#)
[Second Amendment to Annexation and Development Agreement.Southg](#)
[Southglen additional acreage](#)

18. [2017-903](#) CONSIDER RESOLUTION NO. 2017-R132; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION
TO THE ALAMO AREA METROPOLITAN PLANNING
ORGANIZATION (AAMPO) FOR PROJECTS TO BE INCLUDED IN
THE FY 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM
(TIP), AND SETTING AN EFFECTIVE DATE.

Attachments: [AIS.MPO Submission Cascade Cavern](#)
[2017-R132 TIP Resolution \(2\) \(002\)](#)
[AAMPO FY 2019 2022 TIP CALL FOR PROJECTS SCHEDULE](#)
[Cascade Cavern Roadway Operational Improvement Project.MPO submis](#)

19. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION
AND SET A PUBLIC HEARING FOR JANUARY 9, 2018:

- 19.A. [2017-911](#) PROPOSED USE OF A GYMNASIUM IN A B-2R, HIGHWAY
COMMERCIAL - RESTRICTED DISTRICT LOCATED AT 129 OLD SAN
ANTONIO ROAD, KAD NO. 62676.

Attachments: [Summary](#)
[Att 1 - LOCATION MAP](#)
[Att 2 - ZONING MAP](#)
[Att 3 - AERIAL MAP](#)
[Att 4 - Revised Submittal Change of Use Request Nov1517](#)

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

21. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

- 21.A. [2017-912](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.
- 21.B. [2017-913](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.
- 21.C. [2017-914](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATIONS.

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

- 22.A. [2017-915](#) CONSIDER RESOLUTION NO. 2017-R133; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE AN AGREEMENT FOR THE SALE OF THE BOERNE
CONVENTION AND VISITORS BUREAU BUILDING LOCATED AT
1407 SOUTH MAIN STREET, BOERNE, TEXAS.

Attachments: [2017-R133 Sale of CVB Building](#)

- 22.B. [2017-916](#) CONSIDER RESOLUTION NO. 2017-R134; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE A CONTRACTUAL AGREEMENT WITH _____

FOR THE PURCHASE OF REAL PROPERTY LOCATED AT
_____.

Attachments: [2017-R134 Purchase property](#)

- 22.C. [2017-923](#) CONSIDER RESOLUTION NO. 2017-R135; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE A CHAPTER 380 GRANT AGREEMENT BETWEEN THE
CITY OF BOERNE AND _____.

Attachments: [2017-R135 380 agreement](#)

23. 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
December, 2017 at 5:00 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 30.06 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.

