

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
January 23, 2018 – 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. [2018-149](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 9, 2018.

Attachments: [Minutes 18.0109](#)

4.B. [2018-140](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-01; 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, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF A GYMNASIUM IN A B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT LOCATED AT 129 OLD SAN ANTONIO ROAD (KAD NO. 62676).

Attachments: [Summary](#)
 [Ordinance No. 2018-01](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - ZONING MAP](#)
 [Att 3 - AERIAL MAP](#)
 [Att 4 - Revised Submittal Change of Use Request Nov1517](#)

- 4.C. [2018-134](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-02; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, GRANTING A TRANSMISSION AND DISTRIBUTION ELECTRIC UTILITY FRANCHISE TO PEDERNALES ELECTRIC COOPERATIVE, INC. FOR A TEN YEAR TERM COMMENCING ON THE EFFECTIVE DATE; CONTAINING VARIOUS TERMS AND CONDITIONS WITH REGARD TO THE GRANT OF SUCH FRANCHISE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY AND ALL KINDS OF ORDINANCES, REGULATIONS, RULES, OR POLICIES THAT ARE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [AIS PEC Franchise Fee](#)
 [Ordinance No. 2018-02](#)

- 4.D. [2018-139](#) CONSIDER RESOLUTION NO. 2018-R03; 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 Road Closure 2018](#)
 [2018-R03 Corvette Show](#)
 [corvette 2018 permit](#)
 [Street closure map](#)

- 4.E. [2018-136](#) CONSIDER RESOLUTION NO. 2018-R04; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND CUMMINS SOUTHERN PLAINS, LLC FOR PREVENTATIVE MAINTENANCE OF BACK-UP GENERATORS.

Attachments: [AIS Back up Generator agreement](#)
[2018-R04 Agreement Cummins Southern Plains](#)
[City of Boerne quote42608](#)

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

- 5.A. [2018-146](#) PROPOSED ANNEXATION OF 13.327 ACRES OF LAND LOCATED AT 41 OLD SAN ANTONIO ROAD, KAD NO. 38976, AND THE ADJACENT RIGHT-OF-WAY ON OLD SAN ANTONIO ROAD AT THE REQUEST OF THE CITY OF BOERNE. (Wastewater Treatment and Recycling Center - Second of two hearings)

Attachments: [Summary](#)
[Public Hearing 18.0123 Annex 41 Old S.A.](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial](#)
[Att 3 - 25-16 CITY SEWER 20170907](#)
[Att 4 - 13.327 ACRE FIELD NOTES 20170907](#)

6. [2018-138](#) COMMUNICATIONS DEPARTMENT PRESENTATION.

Attachments: [AIS Comm update 01.23.18](#)

7. [2018-147](#) UPDATE ON STATUS OF BOERNE MASTER PLAN.

Attachments: [Master Plan update - summary](#)

8. [2018-137](#) CONSIDER MAYORAL APPOINTMENTS TO THE HISTORIC LANDMARK COMMISSION AND CEMETERY SEXTON.

Attachments: [AIS. Mayoral Appointments](#)
[FY 2017-2018 Appointments](#)
[2018 Sexton Policy](#)

9. [2018-145](#) CONSIDER RESOLUTION NO. 2018-R05; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH SAMCO LEAK DETECTION FOR WATER DISTRIBUTION SYSTEM LEAK DETECTION SERVICES.

Attachments: [AIS SAMCO Leak Detection 2018.doc](#)
[2018-R05 Water system leak detection](#)
[SAMCO Leak Detection proposal.pdf](#)
[Water Leak Study Area.jpg](#)

10. [2018-150](#) CONSIDER RESOLUTION NO. 2018-R06; A RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE A CHAPTER 380 GRANT AGREEMENT BY AND BETWEEN
THE CITY OF BOERNE, TEXAS AND HIGHLAND HOMES SAN
ANTONIO, LLC.

Attachments: [AIS - Highland Homes 380 Agreement](#)
[2018-R06 380 agreement](#)
[Boerne Chapter 380 with Highland Homes San Antonio LLC](#)
[Copy of Boerne Chap 380 Estimated Savings Highland San Antonio \(003\)](#)

11. [2018-148](#) RECEIVE AND CONSIDER A REQUEST FROM PANACHE
LANDSCAPING AND DESIGN FOR A VARIANCE TO THE SIGN
ORDINANCE SECTION 12. PROHIBITED SIGN LOCATIONS C.
OFF-PREMISE. (6A North Star Rd., Boerne)

Attachments: [Summary](#)
[Att 1 - 6A NORTH STAR ROAD LOCATION MAP](#)
[Att 2 - 6A NORTH STAR ROAD AERIAL MAP](#)
[Att 3 - Sign Variance Application](#)
[Att 4 - sign](#)

12. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION
AND SET PUBLIC HEARINGS FOR FEBRUARY 13, 2018:

- 12.A. [2018-141](#) PROPOSED ACCESSORY DWELLING IN AN R-3, HIGH DENSITY
RESIDENTIAL DISTRICT LOCATED AT 402 YOALANA STREET, KAD
NO. 23531. (Jack Hearn)

Attachments: [Summary - Yoalana](#)
[Att 1 - 402 YOALANA LOCATION MAP](#)
[Att 2 - 402 YOALANA ZONING MAP](#)
[Att 3 - 402 YOALANA AERIAL MAP](#)
[Att 4 - Letter of request](#)
[Att 5 - Street view \(1\)](#)
[Att 6 - Site plan \(1\)](#)

- 12.B. [2018-142](#) PROPOSED AMENDMENTS TO THE CITY OF BOERNE
SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13,
2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 04.
DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 02.
PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND
CONSTRUCTION PLANS, SECTION 05. PROCEDURES FOR FINAL

PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN
STANDARDS, SECTION 03. OPEN SPACE SYSTEMS. AND ADDING
SECTION 06. LOW IMPACT DEVELOPMENT FACILITIES.

Attachments: [Summary - Subd Ord](#)

- 12.C.** [2018-143](#) PROPOSED AMENDMENTS TO THE CITY OF BOERNE ZONING
ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE
1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL
PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR
LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE
REGULATIONS, SECTION 03. PERMITTED USES, SECTION 20. B-3 -
CENTRAL BUSINESS DISTRICT, AND ADDING SECTION 33. NH -
NORTH HERFF ROAD OVERLAY DISTRICT.

Attachments: [Summary - zoning](#)

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

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

14.A. [2018-131](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

14.B. [2018-144](#) SECTION 551.071 (1) (A) - CONSULTATION WITH ATTORNEY AND
SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATION.

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

15.A. [2018-133](#) CONSIDER RESOLUTION NO. 2018-R07; 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: [2018-R07 Sale of CVB Building](#)

16. 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
January, 2018 at 4:00 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.