

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
May 11, 2021 – 6:00 PM

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

1. CALL TO ORDER – 6:00 PM

INVOCATION

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. [2021-439](#) ADMINISTER THE OATH OF OFFICE TO THE MAYOR, CITY COUNCIL MEMBER DISTRICT 2, AND CITY COUNCIL MEMBER DISTRICT 4

Presenter: City Secretary Lori Carroll

4. [2021-440](#) CONSIDER THE ELECTION OF MAYOR PRO-TEM FOR MAY 2021 - MAY 2022.

Presenter: City Secretary Lori Carroll

5. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. 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)

6. 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. [2021-438](#) CONSIDER THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF APRIL 27, 2021.

Presenter: City Secretary Lori Carroll

- B. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 8, 2021:

- [2021-442](#) I. PROPOSED REZONING OF 0.996 ACRES LOCATED BETWEEN 115 STAHL AND 400 ROSEWOOD (KAD NO. 63697) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT. (Jay Parker, Trophy Properties)

Presenter: Planning & Community Development Director Laura Haning

- C. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 8, 2021:

- [2021-443](#) PROPOSED REZONING OF 0.302 ACRES LOCATED AT 606 FREY STREET (KAD NO. 18989) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (James S. Schuepback)

Presenter: Planning & Community Development Director Laura Haning

REGULAR AGENDA:

7. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2021-444](#) PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR 1.27 ACRES LOCATED BETWEEN STAHL AND NORTH PLANT STREETS (BETWEEN 115 STAHL STREET AND 400 ROSEWOOD - A PORTION OF KAD NO. 20028 AND ALL OF KAD NO. 63697). (Jay Parker/Trophy Properties)

I. PRESENTATION

II. PUBLIC HEARING

III. CONSIDER PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR 1.27 ACRES LOCATED BETWEEN STAHL AND NORTH PLANT STREETS.

Presenter:

Planning & Community Development Director Laura Haning

B. [2021-445](#)

CONSIDER PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD NO. 300529). (Alan Naul/ J-B Boerne Realty, LP)

Presenter:

Planning & Community Development Director Laura Haning

C. [2021-446](#)

PROPOSED PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD NO. 300529). (Alan Naul/ J-B Boerne Realty, LP)

I. PRESENTATION

II. PUBLIC HEARING

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-16; 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, APPLYING A PLANNED UNIT DEVELOPMENT (PUD) PLAN OVERLAY DISTRICT DESIGNATION TO THE INDIVIDUAL PROPERTY (6.479 ACRES) LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD NO. 300529); REPEALING ORDINANCE NO. 2021-09 AND ALL OTHER ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Presenter:

Planning & Community Development Director Laura Haning

- D. [2021-447](#) CONSIDER ON FIRST READING ORDINANCE NO. 2021-17; AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, AS REVISED FEBRUARY 11, 2020, ARTICLE 2. PROCEDURES, TO ADD SECTION 09. DORMANCY FOR PERMITS AND PROJECTS. (Procedures determining vesting rights and dormancy for plats and projects)

Presenter: Planning & Community Development Director Laura Haning

8. CITY MANAGER'S REPORT:

- A. [2021-378](#) SEMI-ANNUAL STAFF PRESENTATION FROM THE CONVENTION AND VISITOR'S BUREAU. (L Woods)

Presenter: Convention & Visitors Bureau Director Larry Woods

- B. [2021-450](#) FIRE DEPARTMENT ACTIVITY UPDATE. (Hacker)

Presenter: Ray Hacker

- C. [2021-441](#) CITIZEN SURVEY UPDATE. (Thatcher)

Presenter: City Manager Ben Thatcher

- D. [2021-454](#) LEGISLATIVE UPDATE (Quirk)

Presenter: City Attorney Barbara Quirk

9. COMMENTS FROM COUNCIL – No discussion or action may take place.

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

- A. [2021-451](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY REGARDING LEGAL MATTERS RELATED TO HTeaO APPLICATION.

Presenter: City Attorney Barbara Quirk

- B. [2021-452](#) SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY WHERE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON.

Presenter: Deputy City Manager Jeff Thompson

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

- A. [2021-449](#) CONSIDER RESOLUTION NO. 2021-R17; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE
PURCHASE OF _____ WITH _____ .

Presenter: Deputy City Manager Jeff Thompson

12. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 7th day of May,
2021 at 4:30 p.m.**

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and 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.