

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
August 24, 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

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, 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)

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. [2021-747](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF AUGUST 10, 2021.

Presenter: City Secretary Lori Carroll

- B. [2021-741](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR SEPTEMBER 14, 2021:

I. PROPOSED REZONING OF 0.794 ACRES LOCATED AT 32884 INTERSTATE HIGHWAY 10 WEST (KAD 26872) FROM I-2, LIGHT INDUSTRIAL, TO C-4, REGIONAL COMMERCIAL DISTRICT. (6A Properties, LP/ Aaron A. Arnold)

Presenter: Planning & Community Development Director Laura Haning

- C. [2021-742](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR SEPTEMBER 14, 2021:

I. PROPOSED PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT 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).

Presenter: Planning & Community Development Director Laura Haning

- D. [2021-743](#) CONSIDER RESOLUTION NO. 2021-R37; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY FOR HEALTH SANITARIAN SERVICES.

Presenter: Planning & Community Development Director Laura Haning

- E. [2021-748](#) CONSIDER RESOLUTION NO. 2021-R38; A RESOLUTION RESCINDING RESOLUTION NO. 2018-R28 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. (Add Design Review Committee and make all changes incorporated by UDC)

Presenter: City Secretary Lori Carroll

REGULAR AGENDA

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2021-755](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2021-26;
AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER
SECTION 3.11.A. (As described below)

Presenter: Tim Handren

- B. [2021-752](#) CONSIDER ORDINANCE NO. 2021-26; AN ORDINANCE
AMENDING ORDINANCE NO. 2020-21, CAPTIONED "AN
ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING
BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR
2020-2021, BEGINNING OCTOBER 1, 2020, AND ENDING
SEPTEMBER 30, 2021"; AND AUTHORIZING THE CITY MANAGER
TO TRANSFER PART OR ALL OF ANY ENCUMBERED
APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A
FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING
THE FISCAL YEAR. (Amend budget)

Presenter: Finance Director Sandy Mattick

- C. [2021-754](#) PROPOSED ADOPTION OF THE ANNUAL CAPITAL AND
OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS, FOR THE
FISCAL YEAR 2021-2022.

I. PRESENTATION

II. PUBLIC HEARING

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-27;
AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND
OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS, FOR THE
FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021, AND
ENDING SEPTEMBER 30, 2022; AND AUTHORIZING THE CITY
MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED
APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A
FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING

THE FISCAL YEAR.

Presenter:

Finance Director Sandy Mattick

- D. [2021-750](#) CONSIDER ON FIRST READING ORDINANCE NO. 2021-28; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BOERNE, TEXAS, CHAPTER 2, ADMINISTRATION, ARTICLE V. ETHICS, SECTION 2.121. DEFINITIONS, ADDING THE DESIGN REVIEW COMMITTEE TO THE DEFINITION OF "CITY OFFICIAL".

Presenter:

City Secretary Lori Carroll

6. RESOLUTIONS:

- A. [2021-746](#) CONSIDER RESOLUTION NO. 2021-R39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE REQUEST AND SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 6 NORTH STAR ROAD AND ADJOINING RIGHT-OF-WAY ON NORTH STAR ROAD BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING; AND CONSIDER APPROVAL OF A MUNICIPAL SERVICE PLAN AGREEMENT. (At the request of property owner, 2.967 acres located at 6 North Star, KAD No. 24324 and 0.651 of right-of-way on North Star Road)

Presenter:

Planning & Community Development Director Laura Haning

- B. [2021-751](#) RECEIVE BIDS FOR THE BENTWOOD SIDEWALK PROJECT AND CONSIDER RESOLUTION NO. 2021-R40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR BENTWOOD SIDEWALK PROJECT TO _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT. (Bentwood, Rosewood, Oak Park/Frey/East Bandera, and City Park Road sidewalks)

Presenter:

Development Director Jeff Carroll

7. OTHER ITEMS:

- A. [2021-745](#) PRESENTATION ON BOERNE OPEN NEIGHBORHOOD DISCUSSION (BOND) MEETINGS.

Presenter: Planning & Community Development Director Laura Haning

8. CITY MANAGER'S REPORT:

A. [2021-749](#) MONTHLY PROJECTS UPDATE.

Presenter: City Manager Ben Thatcher

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

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

A. [2021-756](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, DISCUSSION ON SOUTHGLEN SUBDIVISION.

Presenter: Development & Process Improvement Director Nick Montagno

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

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 20th day of August, 2021 at 4:40 p.m.

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.