

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
September 28, 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. [2021-818](#) BOERNE HIGH SCHOOL STUDENT RECOGNITION.

Presenter: Tim Handren

4. 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)

5. 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. [2021-811](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF SEPTEMBER 14, 2021.
- Presenter:*** City Secretary Lori Carroll
- B. [2021-807](#) CONSIDER ON SECOND READING OF ORDINANCE NO. 2021-29; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, REZONING 0.794 ACRES LOCATED AT 32884 INTERSTATE HIGHWAY 10 WEST (KAD NO. 26872) FROM I-2, LIGHT INDUSTRIAL, TO C-4, REGIONAL COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Rezoning 0.794 acres - 32884 IH-10 from I-2 to C-4 at the request of property owners)
- Presenter:*** Planning & Community Development Director Laura Haning
- C. [2021-808](#) CONSIDER ON SECOND READING OF ORDINANCE NO. 2021-30; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, APPLYING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT TO 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); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (applying a PUD to 1.27 acres - between 115 Stahl and 400 Rosewood)
- Presenter:*** Planning & Community Development Director Laura Haning
- D. [2021-809](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-31; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS,

ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY.
(Annexing 2.967 acres located at 6 North Star Road KAD 24324
and 0.651 acre of right of way on North Star Road at the request
of property owner)

Presenter: Planning & Community Development Director Laura Haning

- E. [2021-810](#) CONSIDER RESOLUTION NO. 2021-R43; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED
CONVEYING PROPERTY TO ALBANY INTERNATIONAL
CORPORATION PREVIOUSLY LEASED FROM THE CITY OF BOERNE
BY TEXAS COMPOSITES, INC. FOR LOT 1, PFEIFFER HERITAGE
SUBDIVISION, IN THE CITY OF BOERNE, KENDALL COUNTY,
TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 3,
PAGE 128, PLAT RECORDS OF KENDALL COUNTY, TEXAS. (Convey
property to Albany)

Presenter: City Attorney Barbara Quirk

REGULAR AGENDA

6. OTHER ITEMS:

- A. [2021-817](#) DISCUSSION OF 2022 CITY OF BOERNE ROLLING TEN YEAR PLAN.

Presenter: Development & Process Improvement Director Nick Montagno

7. CITY MANAGER'S REPORT:

- A. [2021-812](#) RECOGNITION OF LARRY WOODS FOR RECEIVING THE "2021
LIFETIME ACHIEVEMENT AWARD" FROM THE TEXAS TRAVEL
ALLIANCE.

Presenter: City Manager Ben Thatcher

- B. [2021-813](#) TRANSPORTATION COMMITTEE UPDATE.

Presenter: Development Director Jeff Carroll

- C. [2021-814](#) MONTHLY PROJECTS UPDATE.

Presenter: City Manager Ben Thatcher

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

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

- A. [2021-802](#) SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY
REGARDING PENDING OR CONTEMPLATED LITIGATION
REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

Presenter: City Attorney Mick McKamie and Assistant City Manager Kristy Stark

- B. [2021-803](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY
REGARDING CREATION OF THE RANCHES OF CREEKSIDE PUBLIC
IMPROVEMENT DISTRICT.

Presenter: Development & Process Improvement Director Nick Montagno

- C. [2021-804](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATIONS WITH CHUCKSON, LTD.

Presenter: Development & Process Improvement Director Nick Montagno

- D. [2021-805](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATIONS WITH DSL HOLDINGS, LLC.

- E. [2021-806](#) SECTION 551.074 - PERSONNEL MATTERS: CITY MANAGER'S
ANNUAL EVALUATION AND POTENTIAL AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT.

Presenter: Development & Process Improvement Director Nick Montagno

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

- A. [2021-815](#) CONSIDER RESOLUTION NO. 2021-R44; A RESOLUTION OF THE
CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO
ENTER INTO AND MANAGE AN ECONOMIC DEVELOPMENT
INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND
CHUCKSON, LTD.

Presenter: Development & Process Improvement Director Nick Montagno

- B. [2021-816](#) CONSIDER RESOLUTION NO. 2021-R45; A RESOLUTION OF THE
CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO
ENTER INTO AND MANAGE AN ECONOMIC DEVELOPMENT
INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND DSL
HOLDINGS, LLC.

Presenter: Development & Process Improvement Director Nick Montagno

- C. [2021-819](#) CONSIDER RESOLUTION NO. 2021-R46; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CITY MANAGER'S PROFESSIONAL SERVICES AGREEMENT.

Presenter: Tim Handren

11. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 24th day of September, 2021 at 4:00 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.