

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
October 12, 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. 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. [2021-876](#) KENDALL COUNTY BOERNE FAIR OAKS TRANSPORTATION COMMITTEE UPDATE.

Presenter: Tim Handren

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. [2021-862](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF SEPTEMBER 14, 2021.
- Presenter:** City Secretary Lori Carroll
- B. [2021-873](#) CONSIDER RESOLUTION NO. 2021-R47; A RESOLUTION ADOPTING THE 2022 CITY OF BOERNE ROLLING TEN YEAR PLAN.
- Presenter:** Assistant to the City Manager Nick Montagno
- C. [2021-832](#) CONSIDER RESOLUTION NO. 2021-R48; A RESOLUTION AUTHORIZING THE CLOSURE OF A PORTION OF MAIN STREET (HWY 87) DURING CERTAIN HOURS FOR DICKENS ON MAIN AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION. (Main Street closure for Dickens on Main event)
- Presenter:** Captain Steve Perez
- D. [2021-872](#) CONSIDER RESOLUTION NO. 2021-R49; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, CITY OF FAIR OAKS RANCH, AND KENDALL COUNTY FOR PUBLIC SAFETY AND UTILITIES COMMUNICATION. (Annual agreement for dispatch services)
- Presenter:** Captain Steve Perez
6. ORDINANCES:
- A. [2021-871](#) CONSIDER ON FIRST READING ORDINANCE NO. 2021-33; AN ORDINANCE AUTHORIZING THE INSTALLATION OF STOP SIGNS AND YIELD SIGNS FOR THE FOLLOWING SUBDIVISIONS: SOUTHGLEN PHASE 5, CHAMPION HEIGHTS UNIT 3, SOUTHGLEN PHASE 9, SOUTHGLEN PHASE 4, OVERLOOK AT BOERNE, REGENT PARK UNIT 3, LEGACY AT CIBOLO UNIT 1, SOUTHGLEN PHASE 6A, REGENT PARK UNIT 2, SOUTHGLEN PHASE 6 & 7, COMMONS AT MENDER CREEK UNIT 5, SOUTHGLEN PHASE 8, AND SOUTHGLEN PHASE 11A; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION. (Establishing new locations of stop signs and yield signs throughout the city)

Presenter: Development Director Jeff Carroll

7. PRESENTATIONS, PUBLIC HEARINGS, AND RESOLUTIONS:

- A. [2021-864](#) CONSIDER RESOLUTION NO. 2021-R50; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH WYATT JAMES L JR PROPERTY MANAGEMENT TRUST ON SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION. (Wyatt James L Jr Property Management Trust, 36025 IH-10 West)

Presenter: Planning & Community Development Director Laura Haning

- B. [2021-865](#) PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING ROERS COMPANIES APPLICATION FOR HOUSING TAX CREDITS/PRIVATE ACTIVITY BOND APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR BLUFFVIEW APARTMENTS. (Wyatt James L Jr Property Management Trust, 36025 IH-10 West)

I. PRESENTATION

II. PUBLIC HEARING (one of one hearing)

III. CONSIDER RESOLUTION NO. 2021-R51; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING ROERS COMPANIES APPLICATION FOR HOUSING TAX CREDITS/PRIVATE ACTIVITY BOND APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR BLUFFVIEW APARTMENTS.

Presenter: Planning & Community Development Director Laura Haning

- C. [2021-866](#) CONSIDER RESOLUTION NO. 2021-R52; A RESOLUTION OF THE CITY OF BOERNE ASSERTING ITS DESIRE TO BECOME A DARK SKY COMMUNITY.

Presenter: Planning & Community Development Director Laura Haning

- D. [2021-821](#) CONSIDER RESOLUTION NO. 2021-R53; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ADOPTING AN EMERGENCY OPERATIONS PLAN.
- Presenter:** Captain Steve Perez
- E. [2021-875](#) CONSIDER RESOLUTION NO. 2021-R54; A RESOLUTION SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE CREATION OF THE RANCHES AT CREEKSIDE PUBLIC IMPROVEMENT DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF BOERNE, TEXAS; AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF BOERNE, TEXAS REGARDING THE PUBLIC HEARING. (Accept the petition for creation of the Ranches at Creekside Public Improvement District and set a public hearing for November 9, 2021)
- Presenter:** Assistant to the City Manager Nick Montagno
- F. [2021-822](#) CONSIDER RESOLUTION NO. 2021-R55; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE THE SALE OF 2.49 ACRES OF REAL PROPERTY LOCATED AT 402 E BLANCO RD., BOERNE, TEXAS (FORMERLY USED AS THE BOERNE CITY HALL), MORE FULLY DESCRIBED AS LOT 120A, BOERNE ORIGINAL TOWN, BY SEALED BID PROCESS, TO SET THE PROCEDURES FOR THE SEALED BID PROCESS, TO SET THE MINIMUM BID AMOUNT, AND TO PROVIDE FOR PUBLICATION OF NOTICE OF THE REQUEST FOR SEALED BIDS. (Establish process for sealed bids for sale of 402 E. Blanco)
- Presenter:** Assistant to the City Manager Nick Montagno
8. OTHER ITEMS:
- A. [2021-863](#) DISCUSSION ON WATER WORKS TERRACE DESIGN AND FEASIBILITY STUDY.
- Presenter:** Special Projects Director Paul Barwick
9. CITY MANAGER'S REPORT:
- A. [2021-874](#) INTRODUCTION OF FINANCE DIRECTOR, SARAH BUCKELEW.
- Presenter:** City Manager Ben Thatcher

- B. [2021-867](#) SEMI-ANNUAL STAFF UPDATE FROM THE CONVENTION AND VISITOR'S BUREAU.

Presenter: Convention & Visitors Bureau Director Larry Woods

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

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

- A. [2021-868](#) SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

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

- B. [2021-869](#) SECTION 551.072 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (Project Hive)

Presenter: Assistant to the City Manager Nick Montagno

- C. [2021-870](#) SECTION 551.072 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (Project Warren)

Presenter: Assistant to the City Manager Nick Montagno

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

13. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 8th day of October, 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.