

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
January 11, 2022 – 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. 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.

4A. [2022-100](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 14, 2021.

Attachments: [Minutes.21.1214](#)

- 4B. [2022-125](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-40; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT 1002 EAST BLANCO ROAD, HIGHLAND HOMES BLK PT 1, (KAD NO. 298100) IN A O1, NEIGHBORHOOD OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [AIS 1002 E Blanco Rd.](#)
[Ordinance No. 2021-40](#)
[Current Zoning Map](#)
[Future Land Use Map](#)
[Location Map](#)
[BOND Report](#)
[Table of Uses O1](#)

- 4C. [2022-130](#) CONSIDER RESOLUTION NO. 2022-01; ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 7, 2022. (Considerar la resolución número 2022-R01; una resolución que establece los procedimientos para la elección general del 7 de mayo, 2022)

Attachments: [AIS election 2022](#)
[Resolution No. 2022-R01](#)
[Order of General Election for Municipalities](#)

- 4D. [2022-142](#) ANNUAL REVIEW OF THE CITY OF BOERNE'S INVESTMENT POLICY AND BROKER-DEALER LIST.

Attachments: [AIS - Investment Policy Review - Jan 2022](#)
[Invest Policy Jan 2022](#)
[Broker-Dealer List 2021-22](#)

- 4E. [2022-131](#) CONSIDER RESOLUTION NO. 2022-R02; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE SECOND AMENDMENT TO THE INFRASTRUCTURE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND TENOTEX DEVELOPMENT CO. INC. (Regent Park)

Attachments: [AIS - Tenotex DA Amendment Jan1122](#)
[Attachment A-Second Amendment to DA-CC Jan1122](#)
[Attachment B-Tank location-Regent Park](#)
[Attachment C- Excerpt of Section Amended from Original Tenotex Agreeer](#)

5. CITY MANAGER'S REPORT:

- 5A. [2022-127](#) RECOGNITION OF SANDY MATTICK FOR HER YEARS OF SERVICE AS FINANCE DIRECTOR WITH THE CITY OF BOERNE.
- 5B. [2022-128](#) I-10 TXDOT CONSTRUCTION UPDATE.

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

6A. CONSIDER THE PROPOSED SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT, LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, .054 ACRES, KAD 46417). (Todd & Elizabeth Hallberg).

- I. [2022-138](#) RECEIVE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [AIS 428 Herff St - SUP STR](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Map](#)
[Att 3 - Street View](#)
[Att 4 - 21-1221 BOND Report](#)

- II. [2022-140](#) PUBLIC HEARING (One of one hearing)

Attachments: [Public Hearing Notice](#)

- III. [2022-141](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-01; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL TO 0.054 ACRES LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, KAD NO. 46417) IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-01](#)

- 6B. [2022-143](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2022-02; AS PERMITTED BY THE CITY OF BOERNE’S HOME RULE CHARTER SECTION 3.11.A. (As described below)
- 6C. [2022-136](#) CONSIDER ORDINANCE NO. 2022-02; 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 for Fiscal Year 20-21)

Attachments: [AIS September 2021 amendments](#)
[Ordinance No. 2022-02](#)
[Attachment I - Budget amendment summary-September 2021](#)

7. OTHER ITEMS:

- 7A. [2022-135](#) RECEIVE AND APPROVE THE FOURTH QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2021.

Attachments: [AIS - Sept 2021 Qtrly Report](#)
[Sept 2021 Financial & Investment Report](#)

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

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

- 9A. [2022-129](#) SECTION 551.071 - CONSULTATION WITH CITY’S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

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

11. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 7th day of
January, 2022 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.