

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
February 8, 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. [2022-224](#) CONSIDER THE MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING (WINTER WORKSHOP) JANUARY 20, 2022 AND THE REGULAR CALLED CITY COUNCIL MEETING OF JANUARY 25, 2022.

Attachments: [Minutes.220220 Winter Workshop](#)
[Minutes.22.0225](#)

- 4B. [2022-239](#) CONSIDER RESOLUTION NO. 2022-R08; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BY AND BETWEEN KENDALL COUNTY AND THE CITY OF BOERNE FOR DETENTION SERVICES. (House prisoners at Kendall County Jail)

Attachments: [AIS Detention Interlocal 2022](#)
[Resolution No. 2022-R08](#)
[Detention Services Interlocal Agreement](#)

- 4C. [2022-214](#) CONSIDER RESOLUTION NO. 2022-R09; 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 36025 INTERSTATE HIGHWAY 10 WEST AND CONTIGUOUS RIGHT-OF-WAY ON INTERSTATE HIGHWAY 10 WEST (KAD 14386) 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. (Set public hearing for February 22, 2022, at the request of James L. Wyatt, Jr. Property Management Trust and Mildred M. Wyatt, Property Management Trust)

Attachments: [Summary - 36025 IH10- Z SUP](#)
[Resolution No. 2022-R09](#)
[Att 1- Annexation Petition](#)
[Att 2 - Location Map w ROW](#)
[Att 3 - Aerial](#)
[Att 4 - Exh A - Parcel Survey - Metes and Bounds](#)
[Att 5 - Exh B - ROW Survey - Metes and Bounds](#)
[Att 6 - MSP - 36025 IH-10 West](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- 5A. [2022-221](#) CITIZEN COMMENDATION OF BOERNE CHAMPION HIGH SCHOOL JUNIOR MADDIE BARBER FOR DONATION MADE TO ST.

JUDE CHILDREN'S HOSPITAL.

Attachments: [AIS - Barber Commendation](#)

5B. [2022-222](#) KENDALL COUNTY GIVING CONNECTION. (Jeff Schwartz)

Attachments: [AIS for Kendall County Connection](#)

5C. CONSIDER THE PROPOSED SPECIAL USE PERMIT FOR SHORT-TERM RENTAL IN A R1-M, MEDIUM-DENSITY RESIDENTIAL DISTRICT LOCATED AT 113 WANDA STREET (MOOSEHEAD MANOR LOT PT 6, 0.303 ACRES, KAD NO. 24349) (Lenore Ockerberg).

I. [2022-215](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [Summary - 113 Wanda Street - SUP STR](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Zoning Map](#)
 [Att 3 - Street View](#)
 [Att 4 - 21-1221 B.O.N.D. Report](#)

II. [2022-232](#) PUBLIC HEARING (one of one hearing)

Attachments: [Public Hearing Notice](#)

III. [2022-243](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-03; 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, GRANTING A SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL TO 0.303 ACRES LOCATED AT 113 WANDA STREET (MOOSEHEAD MANOR LOT PT 6, KAD NO. 24349) IN A R1-M, MEDIUM-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-03](#)

5D. CONSIDER THE PROPOSED REZONING OF 6.69 ACRES LOCATED AT 25 CASCADE CAVERNS FROM C3, COMMUNITY COMMERCIAL DISTRICT, TO R4-B, BUNGALOW COURT DISTRICT (MILLER'S SUBDIVISION BLK 2, LOT 2, KAD NO. 24323) (LOQ Development LLC).

I. [2022-216](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING

COMMISSION.

Attachments: [Summary - Moondancer](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - Proposed Zone R4B](#)
 [Att 4 - Future Land Use Map](#)
 [Att 5 - Table of Uses](#)
 [Att 6 - Site Plan](#)
 [Att 7 - Row Elevation](#)
 [Att 8 - 21-1116 BOND Report](#)

II. [2022-245](#) PUBLIC HEARING (one of one hearing)

Attachments: [Public Hearing Notice](#)

III. [2022-246](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-04; 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 6.69 ACRES LOCATED AT 25 CASCADE CAVERNS ROAD (KAD NO. 24323) FROM C3, COMMUNITY COMMERCIAL DISTRICT TO R4-B, BUNGALOW COURT DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [2022-04 Rezoning 25 Cascade Caverns Rd.](#)

5E. CONSIDER THE PROPOSED REZONING OF 6.69 ACRES LOCATED AT 25 CASCADE CAVERNS FROM C3, COMMUNITY COMMERCIAL DISTRICT, TO R4-B, BUNGALOW COURT DISTRICT (MILLER'S SUBDIVISION BLK 2, LOT 2, KAD NO. 24323) (LOQ Development LLC).

I. [2022-217](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [Summary - Moondancer](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - Proposed Zone R4B](#)
 [Att 4 - Future Land Use Map](#)
 [Att 5 - Table of Uses](#)
 [Att 6 - PUD Plan](#)
 [Att 7 - Row Elevation](#)
 [Att 8 - 21-1116 BOND Report](#)

- II. [2022-247](#) PUBLIC HEARING (one of one hearing)

Attachments: [Public Hearing Notice](#)

- III. [2022-248](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-05; 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, ZONING 3.04 ACRES LOCATED AT 6 NORTH STAR ROAD (KAD NO. 24324) FROM HOL, HOLDING, TO R4-B, BUNGALOW COURT DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-05](#)

5F. CONSIDER THE PLANNED UNIT DEVELOPMENT FOR 9.73 ACRES LOCATED AT 25 CASCADE CAVERNS AND 6 NORTH STAR (MILLER'S SUBDIVISION BLK 2 LOT 2, AND BLK PT 3, KAD NOS. 24323 AND 24324) (LOQ Development LLC).

- I. [2022-219](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [Summary - Moondancer](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - Proposed Zone R4B](#)
 [Att 4 - Future Land Use Map](#)
 [Att 5 - Table of Uses](#)
 [Att 6 - Site Plan](#)
 [Att 7 - Row Elevation](#)
 [Att 8 - 21-1116 BOND Report](#)

- II. [2022-249](#) PUBLIC HEARING (one of one hearing)

Attachments: [Public Hearing Notice](#)

- III. [2022-250](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-06; 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 9.73 ACRES LOCATED AT 25 CASCADE CAVERNS AND 6 NORTH STAR ROAD (MILLER'S SUBDIVISION BLK 2 LOT 2, AND BLK PT 3, KAD NOS. 24323 AND 24324); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-06](#)

5G. CONSIDER THE PROPOSED AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC) ADOPTED NOVEMBER 24, 2020, INCLUDING BUT NOT LIMITED TO AMENDMENTS TO CHAPTER 1. GENERAL PROVISIONS, CHAPTER 2. PROCEDURES, CHAPTER 3. ZONING, CHAPTER 4. RESIDENTIAL SITES, CHAPTER 5. NONRESIDENTIAL SITES, CHAPTER 6. SUBDIVISION DESIGN, CHAPTER 7. INFRASTRUCTURE DESIGN, CHAPTER 8. ENVIRONMENTAL DESIGN, SPECIFICALLY SECTION 8.3, TREE PRESERVATION AND 8.9 LOWER GLENROSE AQUIFER, CHAPTER 9. SIGNAGE AND APPENDICES A, DEFINITIONS.

- I. [2022-220](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [Summary - UDC](#)
[Att 1 - UDC - Major Amendments](#)
[Att 2 - UDC - EDIT VERSION](#)

- II. [2022-251](#) PUBLIC HEARING (one of one hearing)

Attachments: [Public Hearing Notice](#)

- III. [2022-252](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-07; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING THE BOERNE UNIFIED DEVELOPMENT CODE, ADOPTED BY ORDINANCE NO. 2020-29 ON NOVEMBER 24, 2020, PROVIDING AMENDMENTS TO CHAPTER 1. GENERAL PROVISIONS, CHAPTER 2. PROCEDURES, 2.6 PLATTING PROCEDURES, CHAPTER 3.

ZONING, CHAPTER 4. RESIDENTIAL SITES, CHAPTER 5. NONRESIDENTIAL SITES, CHAPTER 6. SUBDIVISION DESIGN, CHAPTER 7. INFRASTRUCTURE DESIGN, CHAPTER 8. ENVIRONMENTAL DESIGN, SPECIFICALLY SECTION 8.3, TREE PRESERVATION AND 8.9 LOWER GLENROSE AQUIFER, CHAPTER 9. SIGNAGE AND APPENDICES A, DEFINITIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY FOR VIOLATION FINES NOT TO EXCEED \$1,000 FOR EACH SEPARATE OFFENSE; AND CONTAINING A SEVERANCE CLAUSE.

Attachments: [Ordinance No. 2022-07](#)

- 5H. [2022-184](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-08; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, REPEALING AND REPLACING ORDINANCE NO. 2021-24, CAPTIONED, "ADOPTING THE ENGINEERING DESIGN MANUAL."

Attachments: [AIS-Engineering Design Manual Update](#)
[Ordinance No. 2022-08](#)
[Engineering Design Manual](#)

6. RESOLUTIONS:

- 6A. [2022-183](#) CONSIDER RESOLUTION NO. 2022-R10; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND SOURCEWELL COOPERATIVE PURCHASING PROGRAM FOR A STREET SWEEPER FOR AN AMOUNT NOT TO EXCEED \$241,148.00 WITH THE OPTION TO PURCHASE IN YEAR FIVE FOR AN AMOUNT OF \$133,372.50.

Attachments: [20220208-AIS-StreetSweeper](#)
[Resolution No. 2022-R10](#)
[20220118-StreetSweeperMileAfterMileQuote](#)
[20220118-Brochure - Crosswind1](#)

7. CITY MANAGER'S REPORT:

- 7A. [2022-253](#) PRESENTATION OF 2020 GOVERNMENT FINANCE OFFICERS ASSOCIATION CERTIFICATE FOR ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.
- 7B. [2022-190](#) UPDATE ON DEVELOPMENT SERVICES REGULARLY SCHEDULED

COORDINATION MEETINGS WITH THE ENGINEERING
COMMITTEE.

8. COMMENTS FROM COUNCIL – No discussion or action may take place.
9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
- 9A. [2022-223](#) 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 4th day of
February, 2022 at 7:00 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.