

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
May 10, 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. [2022-471](#) ADMINISTER OATHS OF OFFICE - COUNCIL MEMBER DISTRICTS 1, 3 AND 5.

Attachments: [AIS Oath dist 1,3,5](#)
 [OATH.](#)

5. [2022-470](#) CONSIDER ELECTION OF THE OFFICE OF MAYOR PRO-TEM FOR MAY 2022 - MAY 2023.

Attachments: [AIS Mayor pro tem 2022](#)

6. 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. [2022-472](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR
CALLED CITY COUNCIL MEETING OF APRIL 26, 2022.

Attachments: [Minutes.22.0426](#)

- B. [2022-456](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-13; AN
ORDINANCE ANNEXING 27.892 ACRES LOCATED AT 1670 RIVER
ROAD (KAD NO. 14141, 14142, AND 14143) 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. (At the request
of Sharon Stanford)

Attachments: [AIS - 1670 River Road Annexation](#)
[Ordinance No. 2022-13](#)
[Exhibit A. Metes and Bounds](#)
[Exhibit A. Survey](#)
[Exhibit B. Municipal Service Plan](#)
[1670 River Road Annexation Petition](#)
[Location Map](#)
[Location Aerial](#)
[21-1019 BOND Report](#)
[21-1215 BOND Report](#)

- C. [2022-457](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-14; AN
ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF
BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER
3. ZONING, SECTION 3.2, ZONING MAP, ZONING 27.7 ACRES
LOCATED AT 1670 RIVER ROAD (KAD NOS. 14141, 14142, AND
14143) FROM HOL, HOLDING, TO R4-L, LOW-DENSITY

MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (A10298 - Survey 180 M I Leal, Jeremy Williams/ Embrey)

Attachments:

[AIS 1670 River Road](#)
[Ordinance No. 2022-14](#)
[Att 1 - Location Map](#)
[Att 2 - Location Aerial](#)
[Att 3 - Proposed Zoning Map](#)
[Att 4 - Overlay District](#)
[Att 5 - Table of Uses R4-L HOL](#)
[Att 6 - COB Land Use Plan](#)
[Att 7 - Special Use Permit 3.16.22](#)
[Att 8 - UDC - Overlay - Entrance Corridors](#)
[Att 9 - 21-1019 BOND Report](#)
[Att 10 -21-1215 BOND Report](#)

- D. [2022-458](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-15; 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 MULTI-FAMILY DEVELOPMENT WITH LESS THAN 18 UNITS PER ACRE TO 27.7 ACRES LOCATED AT 1670 RIVER ROAD (A10298 - SURVEY 180 M I LEAL, KAD NO. 14141, 14142, AND 14143) IN AN R4-L, LOW-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Jeremy Williams/ Embrey)

Attachments:

[AIS 1670 River Road](#)
[Ordinance No. 2022-15](#)
[Att 1 - Location Map](#)
[Att 2 - Location aerial](#)
[Att 3 - Special Use Permit \(SUP\) 3.16.22](#)
[Att 4 - 21-1019 BOND Report](#)
[Att 5 - Live Meeting 21-1215 BOND Report](#)

- E. [2022-459](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-16; AN ORDINANCE ANNEXING 1.994 ACRES LOCATED AT 30975

INTERSTATE HIGHWAY 10 WEST (KAD NO. 12242) 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. (At the request of Michael W. Buie)

Attachments: [AIS - IH-10 West 30975](#)
[Ordinance No. 2022-16](#)
[Exhibit A. Metes and Bounds](#)
[Exhibit A. Survey](#)
[Exhibit B. MSP signed](#)
[Annexation Petition - Buie Subdivision](#)
[Location Map](#)
[Location Aerial](#)
[22-0315 B.O.N.D. Report](#)

- F. [2022-460](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-17; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 2.0 ACRES LOCATED AT 30975 INTERSTATE HIGHWAY 10 WEST (KAD NO. 12242) FROM HOL, HOLDING, TO I2, LIGHT INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Buie Subdivision, Blk 1, Lot Pt 1, Michael Buie)

Attachments: [AIS - 30975 IH-10 West](#)
[Ordinance No. 2022-17](#)
[Att 1 - Location Map](#)
[Att 2 - Current Zone](#)
[Att 3 - Location Aerial](#)
[Att 4 - Proposed Zone](#)
[Att 5 - Table of Uses I2](#)
[Att 6 - Overlay](#)
[Att 7 - Future Land Use](#)
[Att 8 - 22-0315 B.O.N.D. Report](#)

- G. [2022-461](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-18; 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 COMMERCIAL RECREATION (INDOOR) TO 1.19 ACRES LOCATED AT 18 SCENIC LOOP ROAD (KENDALL CREEK ESTATES PHASE I, BLK 5, LOT 14, KAD NO. 49177) IN A C2-EC, TRANSITIONAL COMMERCIAL, ENTRANCE CORRIDOR OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Matthew Robinson/ Boerne Escape Rooms LLC)

Attachments:

[AIS - 18 Scenic Loop](#)
[Ordinance No. 2022-18](#)
[Att 1 - Location Map](#)
[Att 2 - Current Zone](#)
[Att 3 - Table of Uses - C2](#)
[Att 4 - Overlay Distirct](#)
[Att 5 - Entance Corridor Information](#)
[Att 6 - Future Land Use](#)
[Att 7 - Site Plan](#)
[Att 8 - 22-0315 B.O.N.D. Report](#)

- H. [2022-462](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-19; 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 AN ACCESSORY DWELLING, GARAGE APARTMENT TO 0.303 ACRES LOCATED AT 431 EAST BANDERA ROAD (EAST BANDERA RESIDENTIAL, LOT 2, KAD NO. 310448) IN AN R2-M, MODERATE DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Menger Development LLC/ Shawn Barry)

Attachments: [AIS - 431 East Bandera](#)
[Ordinance No. 2022-19](#)
[Att 1 - Location Map](#)
[Att 2 - Current Zone](#)
[Att 3 - Table of Uses - R2M](#)
[Att 4 - Master Plan](#)
[Att 5 - Final Plan](#)
[Att 6 - 22-0315 B.O.N.D. Report](#)

- I. [2022-463](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-20; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING ORDINANCE NO. 2022-08, ENGINEERING DESIGN MANUAL, SECTION 1.7.7. DRAINAGE STUDY CONTENTS, REVISING THE DEVELOPMENT CATEGORIES AND DRAINAGE STUDY REQUIREMENTS TIER STRUCTURE.

Attachments: [AIS- Engineering Design Manual update](#)
[Ordinance No. 2022-20](#)
[Engineering Design Manual Drainage Tier Revisions redlines](#)
[Engineering Design Manual Drainage Tier Revisions clean copy](#)
[Engineering Design Manual Drainage with all revisions](#)

- J. [2022-469](#) REJECT ALL BIDS FOR THE JOHNS ROAD RECONSTRUCTION PROJECT.

Attachments: [20220510-AIS-JohnsRd-BidReject](#)
[Bid- J3 Company, LLC](#)

REGULAR AGENDA

7. OTHER ITEMS:

- [2022-466](#) RECEIVE AND APPROVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2022.

Attachments: [AIS - Mar 2022 Qtrly Report](#)

8. CITY MANAGER'S REPORT:

- A. [2022-467](#) RECOGNITION OF INFORMATION TECHNOLOGY DEPARTMENT FOR RECEIVING THE TEXAS ASSOCIATION OF GOVERNMENT INFORMATION TECHNOLOGY MANAGERS (TAGITM) 2022 EXCELLENCE AWARD.

- B. [2022-468](#) BOND PROPOSITIONS UPDATE.

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

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

- A. [2022-464](#) SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.
- B. [2022-465](#) SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY WHERE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON. (A tract of approximately 10 acres near Ammann Road)

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 6th day of May,
2022 at 3:00 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.