

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
September 27, 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

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. 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.

A. [2022-760](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF SEPTEMBER 13, 2022.

Presenter: City Secretary Lori Carroll

- B. [2022-758](#) CONSIDER RESOLUTION NO. 2022-R62; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND FAIR OAKS RANCH FOR ANIMAL CONTROL SERVICES.

Presenter: Assistant City Manager Danny Zincke

- C. [2022-763](#) CONSIDER CANCELING THE REGULAR CALLED CITY COUNCIL MEETINGS FOR NOVEMBER 22, 2022, AND DECEMBER 27, 2022.

Presenter: City Manager Ben Thatcher

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2022-750](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-27; AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF BOERNE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, IN ACCORDANCE WITH CHAPTER 102, LOCAL GOVERNMENT CODE; AND APPROPRIATING THE VARIOUS AMOUNTS THEREOF. (Ordinance adopting the Budget)

Presenter: Finance Director Sarah Buckelew

- B. [2022-762](#) RATIFY THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE FISCAL YEAR 2022-2023 BUDGET.

Presenter: Finance Director Sarah Buckelew

- C. [2022-751](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-28; AN ORDINANCE SETTING THE AD VALOREM PROPERTY TAX RATE FOR THE 2022 TAX YEAR AT 45.10 CENTS PER EACH \$100 OF TAXABLE VALUE. (Ordinance adopting tax rate)

Presenter: Finance Director Sarah Buckelew

- D. [2022-759](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-29; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2021-38 AND ESTABLISHING AND REESTABLISHING FEES AND CHARGES FOR ACTIVITIES, GOODS AND SERVICES PROVIDED BY THE CITY; CONTAINING A PROVISION TO AUTHORIZE THE CITY

MANAGER TO ESTABLISH FEES AND CHARGES IN CERTAIN CIRCUMSTANCES, CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR PUBLICATION.

Presenter: Finance Director Sarah Buckelew

- E. [2022-745](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND HOLD A PUBLIC HEARING TO RECEIVE COMMENTS FOR OR AGAINST ORDINANCE NO. 2022-30; 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, REZONING 0.191 ACRE, LOCATED AT 327 EBNER STREET (KAD NO. 33727, TRINIDAD ADDITION LOT 3) FROM R2-M DT, MODERATE DENSITY RESIDENTIAL DOWNTOWN COMMUNITY OVERLAY DISTRICT, TO R3-D DT, DUPLEX RESIDENTIAL DOWNTOWN COMMUNITY OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE, AND CONSIDER APPROVAL OF ORDINANCE NO. 2022-30, ON THE FIRST OF TWO READINGS. (Ben Anca, one of one public hearing)

Presenter: Planning & Community Development Director Laura Haning

- F. [2022-746](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND HOLD A PUBLIC HEARING TO RECEIVE COMMENTS FOR OR AGAINST ORDINANCE NO. 2022-31; 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 68.80 ACRES AND 8.61 ACRES RESPECTIVELY, LOCATED AT 125 E STATE HIGHWAY 46 (KAD NO. 49167, RIVER ROAD, PART OF A10005 - SURVEY 188 G W ADAMS, 193.85 ACRES, RANCHES AT CREEKSIDE SUBDIVISION) FROM R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT AND RE, ESTATE RESIDENTIAL DISTRICT, TO R2-N NEIGHBORHOOD RESIDENTIAL DISTRICT, AND R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE, AND CONSIDER APPROVAL

OF ORDINANCE NO. 2022-31, ON THE FIRST OF TWO READINGS.
(Green Land Ventures, Ltd/ Quiddity Engineering, one of one
public hearing)

Presenter: Planning & Community Development Director Laura Haning

6. RESOLUTIONS

- A. [2022-752](#) CONSIDER THE UN-TABLING OF RESOLUTION NO. 2022-R55, AS
DESCRIBED BELOW. (Tabled on September 13, 2022)

Presenter: Tim Handren

- B. [2022-749](#) RECEIVE THE RECOMMENDATION FROM THE BOERNE PUBLIC
LIBRARY ADVISORY BOARD AND CONSIDER RESOLUTION NO.
2022-R55; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BOERNE, APPROVING AMENDMENTS TO THE BYLAWS OF THE
BOERNE PUBLIC LIBRARY ADVISORY BOARD.

Presenter: Library Director Kelly Skovbjerg

7. OTHER ITEMS:

- A. [2022-757](#) DISCUSSION REGARDING USES WITHIN R-4 ZONING
CATEGORIES AND REQUIREMENTS FOR SPECIAL USE PERMITS
RELATED TO MULTI-FAMILY DENSITY.

Presenter: Planning & Community Development Director Laura Haning

- B. [2022-761](#) DISCUSSION OF CITY BOARDS AND COMMISSIONS WHO DECIDE
VARIANCES TO UDC REGULATIONS.

Presenter: City Secretary Lori Carroll and Planning & Community
Development Director Laura Haning

- C. [2022-748](#) CONSIDER APPROVAL OF THE PATRICK HEATH PUBLIC LIBRARY
MASTER PLAN 2023-2025.

Presenter: Library Director Kelly Skovbjerg

8. CITY MANAGER'S REPORT:

- A. [2022-753](#) DISCUSSION ON DEVELOPMENT PROCESS.

Presenter: Assistant to the City Manager Nick Montagno

- B. [2022-754](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

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

A. [2022-755](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH DSL HOLDINGS, LLC.

Presenter: Assistant to the City Manager Nick Montagno

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

A. [2022-756](#) CONSIDER RESOLUTION NO. 2022-R63; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND DSL HOLDINGS, LLC.

Presenter: Assistant to the City Manager Nick Montagno

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of September, 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.