

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

A.     [2022-821](#)             CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF SEPTEMBER 27, 2022.

**Presenter:**             City Secretary Lori Carroll

- B. [2022-811](#) CONSIDER ON SECOND 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

- C. [2022-764](#) CONSIDER ON SECOND READING 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. (Ben Anca, rezoning request 327 Ebner St.)

**Presenter:** Planning & Community Development Director Laura Haning

- D. [2022-747](#) CONSIDER RESOLUTION NO. 2022-R64; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND WELLS FARGO VENDOR FINANCIAL SERVICES, LLC. FOR CITY IPADS FOR AN AMOUNT NOT TO EXCEED \$86,730.72. (Lease iPads for City Staff, City Council, and Boards and Commissions over two fiscal year budgets.)

**Presenter:** IT Director Mike Raute

REGULAR AGENDA:

5. CITY MANAGER'S REPORT:

- A.     [2022-824](#)           RECOGNITION OF FIRE CHIEF RAY HACKER FOR HIS YEARS OF SERVICE TO THE CITY OF BOERNE COMMUNITY.

**Presenter:**           Assistant City Manager Danny Zincke

- B.     [2022-826](#)           RECENT CITY RECOGNITIONS.

**Presenter:**           City Manager Ben Thatcher

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A.     [2022-823](#)           PROCLAMATION FOR THE TEXAS SILVER-HAIRED LEGISLATURE.

**Presenter:**           Tim Handren

- B.     [2022-813](#)           RECEIVE THE REPORTS FROM THE HISTORIC LANDMARK COMMISSION AND THE PLANNING AND ZONING COMMISSION ON THE APPLICATION FOR HISTORIC LANDMARK DESIGNATION OF THE VETERANS PLAZA AND CONSIDER ON FIRST READING ORDINANCE NO. 2022-32; AN ORDINANCE OF THE CITY COUNCIL OF BOERNE, TEXAS, GRANTING HISTORIC LANDMARK DESIGNATION FOR VETERANS PLAZA.

7. OTHER ITEMS:

- A.     [2022-812](#)           DISCUSSION REGARDING CITY'S REPORT ON FUTURE WATER DEMAND.

**Presenter:**           Utilities Director Michael Mann

- B.     [2022-805](#)           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

- C.     [2022-806](#)           DISCUSSION OF CITY BOARDS AND COMMISSIONS WHO DECIDE VARIANCES TO UDC REGULATIONS.

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

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

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

- A.     [2022-815](#)     SECTION 551.071 CONSULTATION WITH CITY ATTORNEY AND  
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. (Utilities)

**Presenter:**     City Manager Ben Thatcher

- B.     [2022-816](#)     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. (Negotiate easement)

**Presenter:**     Utilities Director Michael Mann

- C.     [2022-817](#)     SECTION 551.074 - PERSONNEL MATTERS: RELATED TO THE CITY  
MANAGER'S EVALUATION.

**Presenter:**     Tim Handren

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

- A.     [2022-818](#)     CONSIDER RESOLUTION NO. 2022-R65; A RESOLUTION  
AUTHORIZING A SINGLE 5/8-INCH DOMESTIC WATER SERVICE IN  
THE EVENT OF EXISTING DOMESTIC WATER WELL FAILURE  
WHICH IS BENEFICIAL FOR THE CITY AS CONSIDERATION FOR A  
WATER UTILITY EASEMENT AT A 185.416 ACRE TRACT  
IDENTIFIED IN VOLUME 292, PAGES 688-692, OFFICIAL  
RECORDS OF KENDALL COUNTY, TEXAS. (Negotiate easement)

11. ADJOURNMENT

#### CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 7th day of  
October, 2022 at 4:00 p.m.

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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.