

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**January 24, 2023 – 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.     [2023-146](#)           CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JANUARY 10, 2023.

**Presenter:**       City Secretary Lori Carroll

- B.     [2023-147](#)     CONSIDER ON SECOND READING ORDINANCE NO. 2023-01; AN ORDINANCE ANNEXING 37 CASCADE CAVERNS ROAD (KAD NOS. 12244 AND 12246) AND A PORTION OF CASCADE CAVERNS ROAD 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 Greg Plummer for Currey Creek Church, 37 Cascade Caverns Road)

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

- C.     [2023-148](#)     CONSIDER ON SECOND READING ORDINANCE NO. 2023-02; 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, CHANGE IN ZONING FOR A TOTAL OF 15.16 ACRES, LOCATED AT 35 CASCADE CAVERNS ROAD (J AND J ACRES LOT 1A, 3.229 ACRES, KAD NO. 12245), FROM C-3, COMMUNITY COMMERCIAL DISTRICT, 37 CASCADE CAVERNS ROAD (J AND J ACRES LOT 2A, 3.94 ACRES, KAD NO. 12244) FROM HOL, INTERIM HOLDING DISTRICT, AND 45 CASCADE CAVERNS ROAD (MILLER'S SUBDIVISION LOT 7A, 7.99 ACRES, KAD NO. 24328 AND 12246) FROM C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO CIV, CIVIC AND INSTITUTIONAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Rezoning 35, 37, and 45 Cascade Caverns Road, Currey Creek Baptist Church of Boerne)

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

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A.     [2023-153](#)     PRESENTATION FROM OLIVIA BURDICK, EXECUTIVE DIRECTOR AT THE CENTER. (Formerly the Rainbow Senior Center)

**Presenter:** City Manager Ben Thatcher

- B. [2023-152](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2023-03;  
AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER  
SECTION 3.11.A. (As described below)

**Presenter:** Ty Wolosin

- C. [2023-155](#) CONSIDER ORDINANCE NO. 2023-03; AN ORDINANCE  
REPEALING ORDINANCE NO. 2022-33 AND AMENDING  
ORDINANCE NO. 2021-27, CAPTIONED "AN ORDINANCE  
ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS  
FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR  
2021-2022, BEGINNING OCTOBER 1, 2021, AND ENDING  
SEPTEMBER 30, 2022; 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." (Repeal Ordinance No. 2022-33 and amend  
budget for fiscal year 2021-2022)

**Presenter:** Finance Director Sarah Buckelew

6. OTHER ITEMS:

- A. [2023-154](#) RECEIVE AND APPROVE THE FIRST QUARTER FINANCIAL AND  
INVESTMENT REPORTS FOR FISCAL YEAR 2023.

**Presenter:** Finance Director Sarah Buckelew

7. CITY MANAGER'S REPORT:

- A. [2023-149](#) MONTHLY PROJECTS REPORT.

**Presenter:** City Manager Ben Thatcher

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

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

- A. [2023-151](#) SECTION 551.072 - TO DELIBERATE THE SALE 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. (Former Public Works

building)

**Presenter:** City Manager Ben Thatcher

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 19th day of January, 2023 at 2:00 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.