

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
March 28, 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. [2023-303](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON MARCH 14, 2023.

Presenter: City Secretary Lori Carroll

- B. [2023-304](#) CONSIDER ON SECOND READING ORDINANCE NO. 2023-08; AN ORDINANCE AMENDING ORDINANCE NO. 2022-27, CAPTIONED "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". (Amend budget for Fiscal Year 22-23)

Presenter: Finance Director Sarah Buckelew

- C. [2023-285](#) CONSIDER RESOLUTION NO. 2023-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND DELL FOR AN AMOUNT NOT TO EXCEED \$85,566.00. (Lease for computers)

Presenter: IT Director Mike Raute

- D. [2023-297](#) CONSIDER RESOLUTION NO. 2023-R22; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AGREEMENTS BETWEEN THE CITY OF BOERNE AND FLOCK GROUP INC. FOR FLOCK SERVICE FOR AN AMOUNT NOT TO EXCEED \$49,600.00. (Automatic license plate reader system cameras and operating system for the Police Department)

Presenter: IT Director Mike Raute

- E. [2023-300](#) CONSIDER RESOLUTION NO. 2023-R23; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE THIRD AMENDMENT TO THE 2000 AGREEMENT BETWEEN THE CITY OF BOERNE AND GUADALUPE-BLANCO RIVER AUTHORITY. (Amendment for delivery of water to a second site)

Presenter: Utilities Director Michael Mann

- F. [2023-325](#) CONSIDER RESOLUTION NO. 2023-R24; A RESOLUTION REPEALING RESOLUTION NO. 2021-R42, AUTHORIZING THE CITY MANAGER TO EXECUTE GLOBAL OPIOID SETTLEMENT DOCUMENTS RELATING TO THE ALLERGAN, WALMART, CVS, AND WALGREENS SETTLEMENTS AND ANY FUTURE OPIOID SETTLEMENTS NEGOTIATED BY THE STATE ATTORNEY GENERAL;

AUTHORIZING THE CITY MANAGER TO TRANSMIT THOSE DOCUMENTS TO THE ATTORNEY GENERAL; AND PROVIDING FOR AN EFFECTIVE DATE. (Repeal Resolution No. 2021-R42)

Presenter: City Secretary Lori Carroll

- G. [2023-316](#) SET A PUBLIC HEARING FOR APRIL 11, 2023, AT 6:00 P.M., FOR THE PROPOSED ADOPTION OF THE CITY OF BOERNE THOROUGHFARE PLAN, SUPERSEDING THE PREVIOUS THOROUGHFARE PLAN.

Presenter: Director of Engineering & Mobility Jeff Carroll

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, ORDINANCES, AND RESOLUTIONS:

- A. [2023-318](#) PUBLIC HEARING AND CONSIDER RESOLUTION NO. 2023-R25; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ADOPTING THE CITY OF BOERNE MOBILITY MASTER PLAN. (One of one hearing)

Presenter: Director of Engineering & Mobility Jeff Carroll

- B. [2023-317](#) PUBLIC HEARING ON THE PROPOSED ADOPTION OF THE CITY OF BOERNE MAJOR THOROUGHFARE PLAN, SUPERSEDING, REPEALING AND REPLACING ANY MAJOR THOROUGHFARE PLAN PREVIOUSLY ADOPTED BY CITY COUNCIL. (One of two hearings, Second hearing will be held April 11, 2023)

Presenter: Director of Engineering & Mobility Jeff Carroll

- C. [2023-308](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-10; 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 2 ACRES, LOCATED AT 116 BESS STREET (DIETERT ADDITION LOT 20 & PT 22, KAD NO. 21648) FROM R1-M-EC, MEDIUM-DENSITY RESIDENTIAL ENTRANCE CORRIDOR OVERLAY DISTRICT, TO R4-L-EC, LOW-DENSITY MULTI-FAMILY RESIDENTIAL ENTRANCE CORRIDOR OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING

AN EFFECTIVE DATE. (Bess Street Holding LLC/ Killen, Griffin & Farrimond, PLLC, one of one hearing, rezoning 116 Bess St. from R1-M-EC to R4-L-EC)

Presenter:

Planning & Community Development Director Laura Haning

D. [2023-309](#)

RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-11; 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 ON 2 ACRES, LOCATED AT 116 BESS STREET (DIETERT ADDITION LOT 20 & PT 22, KAD NO. 21648) IN AN R4-L-EC, LOW-DENSITY MULTI-FAMILY RESIDENTIAL ENTRANCE CORRIDOR OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Bess Street Holding LLC/ Killen, Griffin & Farrimond, PLLC, one of one hearing, SUP for 116 Bess St)

Presenter:

Planning & Community Development Director Laura Haning

E. [2023-306](#)

RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-12; 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 A TOTAL OF 16.6 ACRES, LOCATED AT 116 OLD SAN ANTONIO ROAD (A10346 - SURVEY 184 J M MCCULLOUGH, KAD NOS. 14784 AND 14785) FROM RE-HC, ESTATE RESIDENTIAL HERITAGE CORRIDOR OVERLAY DISTRICT TO R4-U-HC, URBAN MULTI-FAMILY RESIDENTIAL HERITAGE CORRIDOR OVERLAY DISTRICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Community First Development Operations, LLC/ Killen, Griffin & Farrimond PLLC, one of one hearing, rezoning 116 Old San Antonio Rd. from RE-HC to R4-U-HC)

Presenter:

Planning & Community Development Director Laura Haning

- F. [2023-307](#) PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-13; 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 MORE THAN 18 UNITS PER ACRE, ON 16.6 ACRES, LOCATED AT 116 OLD SAN ANTONIO ROAD (A10346 - SURVEY 184 J M MCCULLOUGH, KAD NOS. 14784 AND 14785) IN AN R4-U-HC, URBAN MULTI-FAMILY RESIDENTIAL HERITAGE CORRIDOR OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Community First Development Operations, LLC/ Killen, Griffin & Farrimond PLLC, one of one hearing, SUP for 116 Old San Antonio Rd.)

Presenter:

Planning & Community Development Director Laura Haning

- G. [2023-305](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-14; 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 INCLUDE BUT NOT LIMITED 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, CHAPTER 9. SIGNAGE AND APPENDICES; 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. (Amendments to Unified Development Code)

Presenter:

Planning & Community Development Director Laura Haning

- H. [2023-310](#) CONSIDER ON FIRST READING ORDINANCE NO. 2023-15; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2022-08, CAPTIONED, "ADOPTING THE ENGINEERING DESIGN

MANUAL.”

Presenter: Director of Engineering & Mobility Jeff Carroll

- I. [2023-301](#) PRESENTATION ON THE PROPOSED AMENDMENT OF THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, AND IMPOSITION OF AN UPDATED IMPACT FEE FOR THE WATER AND/OR WASTEWATER UTILITIES, RECEIVE THE RECOMMENDATION FROM THE IMPACT FEE ADVISORY COMMITTEE AND SET A PUBLIC HEARING FOR MAY 9, 2023.

Presenter: Utilities Director Michael Mann

6. CITY MANAGER'S REPORT:

- A. [2023-283](#) INTRODUCTION OF NEW FIRE CHIEF, MANUEL "MANNY" M. CASAREZ

Presenter: City Manager Ben Thatcher

- B. [2023-287](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

8. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 24th day of
March, 2023 at 3:40 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.