

**Amended 4/6/2023**  
**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**April 11, 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

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.     [2023-365](#)     CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON MARCH 28, 2023.

**Presenter:** City Secretary Lori Carroll

- B. [2023-327](#) CONSIDER ON SECOND 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

- C. [2023-328](#) CONSIDER ON SECOND 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

- D. [2023-367](#) CONSIDER ON SECOND 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

- E. [2023-376](#) CONSIDER MAYORAL APPOINTMENT OF COUNCIL MEMBER

BRYCE BODDIE AS THE CITY REPRESENTATIVE TO THE ALAMO  
AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO).

**Presenter:** Tim Handren

REGULAR AGENDA:

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

- A.     [2023-366](#)     PUBLIC HEARING AND CONSIDER RESOLUTION NO. 2023-R26; A  
RESOLUTION OF THE CITY OF BOERNE, TEXAS, ADOPTING A  
MAJOR THOROUGHFARE PLAN; SUPERSEDING, REPEALING AND  
REPLACING ANY MAJOR THOROUGHFARE PLAN PREVIOUSLY  
ADOPTED BY CITY COUNCIL; AND AFFIRMING THAT PRESCRIBED  
NOTICE AND HEARING REQUIREMENTS WERE MET. (Second of  
two hearings, adopt Major Thoroughfare Plan and supersede  
previous Major Thoroughfare Plan)

**Presenter:** Director of Engineering & Mobility Jeff Carroll

- B.     [2023-329](#)     CONSIDER ON SECOND 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

- C.     [2023-330](#)     CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2023-16;  
AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER  
SECTION 3.11.A. (As described below)

**Presenter:** Director of Engineering & Mobility Jeff Carroll

- D. [2023-326](#) CONSIDER ORDINANCE NO. 2023-16; AN ORDINANCE AMENDING ORDINANCE NO. 2022-29, CAPTIONED "AN ORDINANCE 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". (Amend the fee ordinance to include fees for Site Development Permit)

**Presenter:** Director of Engineering & Mobility Jeff Carroll

- E. [2023-377](#) CONSIDER RESOLUTION NO. 2023-R27; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE IN SUPPORT OF HB NO. 3165 RELATING TO ESTABLISHMENT, ADMINISTRATION, AND USE OF THE LAND AND WATER CONSERVATION FUND AND ALLOCATIONS AND TRANSFERS OF MONEY TO THAT FUND, THE ECONOMIC STABILIZATION FUND, AND THE STATE HIGHWAY FUND.

**Presenter:** City Manager Ben Thatcher

- F. [2023-378](#) CONSIDER RESOLUTION NO. 2023-R28; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE IN SUPPORT OF HB NO. 3995 RELATING TO THE REGULATORY AUTHORITY OF CERTAIN COUNTIES TO PROTECT THE OPERATIONS OF MILITARY INSTALLATIONS.

**Presenter:** City Manager Ben Thatcher

6. PRESENTATION

- A. [2023-363](#) UPDATE ON SOLAR ECLIPSE EVENT PLANNING.

**Presenter:** Police Chief Steve Perez

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

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

- A. [2023-370](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND

POSSIBLE SALE OF FORMER PUBLIC WORKS BUILDING. (400 E Blanco Rd.)

**Presenter:** City Manager Ben Thatcher

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

10. ADJOURNMENT

**CERTIFICATION**

**I hereby certify that the above notice of meeting was posted on the 6th day of April, 2023 at 4:40 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.